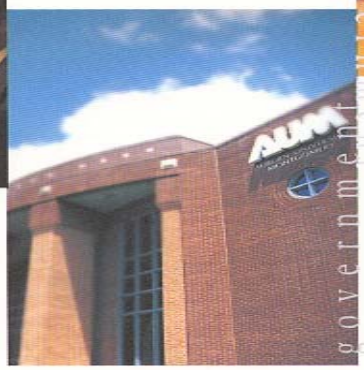
# Bias-Based Policing:

*A Study for the Commonwealth of Virginia*



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"Our lives begin to end the day we become silent about the things that matter."

Martin Luther King Jr.

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# EXECUTIVE SUMMARY

The Auburn University Montgomery (AUM) Center for Government (CGOV), in cooperation with the University's Department of Justice and Public Safety, entered into an agreement with the Virginia Department of Criminal Justice Services (DCJS) to conduct a study on bias-based policing in the Commonwealth of Virginia. The purpose of the study was to develop a better understanding of police bias, as it might exist in the Virginia police community, and provide recommendations that would best address the overall problem of bias-based policing. The study was designed to meet four major goals: (1) review current literature; (2) facilitate focus group meetings; (3) recommend training for law enforcement; and (4) recommend policy development. For the purpose of this study, researchers utilized the following broad-based definition of bias-based policing: *bias-based policing includes practices by individual officers, supervisors, managerial practices, and departmental programs, both intentional and non-intentional that incorporate prejudicial judgments based on sex, race, ethnicity, gender, sexual orientation, economic status, religious beliefs, or age that are inappropriately applied.*

There were three general lessons that surfaced throughout the duration of this study and served as a backdrop to the topic of police bias. First, there is no silver bullet. While we search for the key that will solve the problem of police bias, we discover that it is an elusive goal. Second, bias-based policing is an issue of perception. Perceptions represent reality to their owner and it is not required that others agree with either the premise of the perceptions or their validity. Third, neither Whites nor minorities are listening to one another. The lack of meaningful communication regarding the issue of bias-based policing between racial groups only heightens the importance of such an issue.

To overcome the shortcomings of a single research methodology, a mixed-method research design employing focus group meetings, a citizen survey, and an officer survey was used in this study. The focus group meetings were comprised of citizens and community leaders who were interviewed regarding their perceptions and beliefs concerning bias-based policing in the Commonwealth.

The Citizen Questionnaire was designed to examine how police departments in the Commonwealth handle issues with the public, as reported by the citizens they serve and protect, and to reveal citizens' perceptions of police department practices. From a random sample of 20,000 Virginia telephone numbers, the research staff randomly selected over 10,000 telephone numbers for the telephone survey. Overall, citizens reported being satisfied with the service the police of the Commonwealth provided. Citizens also reported that they trust the police and believe that the police respond within a reasonable amount of time when summoned. Moreover, the majority of citizens who responded to the survey reported that the officers were courteous when they called or walked in the department, or stopped a police vehicle in order to make a complaint or report a crime. Some discouraging findings of the Citizen Questionnaire include, but are not limited to, the significant differences found among citizens when broken down by race concerning police treatment, traffic stops, demeanor, and bias-based policing.

The Officer Questionnaire survey instrument asked law enforcement officials of different races and ranks, in more than 30 police departments, to answer 45 questions concerning issues such as their knowledge of bias-based policing, the bias-based policing training they received, their perceptions regarding the enforcement of bias-based policing in police departments within the Commonwealth, their beliefs regarding the media's account of bias-based policing incidents, and their perceptions regarding the ability of officers and citizens to work cooperatively to address bias-based policing issues. Data analyses revealed some areas of concern such as the noteworthy percentages of officers reporting that bias-based policing is: (1) currently practiced in their departments, (2) unofficially supported by their departments, (3) officially supported by Virginia police departments, (4) practiced by officers in other Virginia police departments, and (5) somewhat or a serious issue for their departments. The data suggests that officers in Virginia believe that bias-based policing is occurring regardless of the current training and administrative efforts presently being made.

Data analyses were also conducted to compare similar items on the citizen and officer questionnaires. In general, citizens and officers reported having similar perceptions of: (1) the media's portrayal of bias-based policing incidents, (2) the possibility for members of the community to honestly and openly discuss racial issues, and (3) the ability of the police department, in cooperation with the citizens of the community, to be able to develop workable solutions to address a problem with bias-based policing. Some meaningful differences were found between citizens and officers on issues such as the prevalence of bias-based policing in Virginia police departments, minority officers' treatment of minority citizens, the collection of bias-based policing data, and whether or not police openly share information with the public.

The study culminated in a series of recommendations that will assist police departments and their respective communities with a myriad of issues that impact their communities on a daily basis. The remaining challenge facing Virginia concerns how these recommendations can be implemented to better enhance the police service in the Commonwealth of Virginia.

# PREFACE

The function of social science research is to unlock the reasons, workings, and processes of human institutions and to uncover the interpersonal relationships between individuals as members of society. It is often a difficult process attempting to control variables, understanding behavior, and providing useable information that can encourage positive changes between and among individuals and human institutions. People are complicated, often inaccurate, sometimes untruthful, inconsistent, emotional, loving, hateful, encouraged, angered, disappointed, unwavering in strongly held beliefs that can be contrary, and are apt to say one thing and do another. People are bound by their personal experiences, biases, and values. It is hard to truly understand ourselves, let alone others, because humanity is complex, impulsive, and reactive. Yet, we try to find ways to improve our ability to progress as a society. We sometimes succeed and at other times fail.

In this attempt to improve society, the social scientist has the task of studying human institutions and interactions to explain the reasons why incidents occurred and to provide recommendations for improvement. Some efforts have far-reaching implications, while other research projects are more limited in their intent and outcome. Some studies are, by their very nature or topic, more or less dynamic, popular, or controversial. At times, findings might be censured, castigated, dismissed, or even withheld depending on the political environment. Certainly, issues of race and bias have been difficult issues for Americans throughout our history, and social science research in this area is controversial, politically explosive, fervently debated, and accustomed to criticism.

A study of police bias has the dubious distinction of researching a long-standing, powerful, and influential institution of government coupled with an attempt to discover the potential practices of illegal bias against citizens. The possibility for controversy on such a study has been well documented in the news over the past several years. However, the importance of continued research efforts cannot be overemphasized. In our democratic society, there is nothing more basic in our beliefs than equality under the law, our civil rights, and our freedom. Any unjust actions on the part of government to interfere with or to

subjugate the rights of citizens to the whims of public agencies should be quickly recognized and rejected. Moreover, such a study is crucial to identify such regressions, disclosing their existence, and provide recommendations for improvement. It is only through such efforts that we can identify problems and make the needed changes.

Interestingly, such research efforts are not only designed to discover and share information that can be used to better society, but we often forget the impact such efforts can have on the individuals and organizations under study. A study on police bias forces the police, elected officials, and citizens to reflect, deal with emotions, and try to adjust and improve upon the situation at hand. Knowing full well the potential for uncomplimentary results to be forthcoming from such an effort, it is encouraging to see those very institutions under question voluntarily agree to be subjects of such an inquiry. The agencies involved should be credited for their willingness to be forthright on a difficult issue, for taking the risks, and for serving as research sites for the good of the Commonwealth of Virginia. The Commonwealth of Virginia has chosen to be at the tip of the sword on this issue. This certainly is not the safest place to be, but it is the most courageous. Being at the tip of the sword is not where you find the faint of heart, or the weak of spirit. This is a place reserved for the strong of will; those who want to make a difference, the honorable men and women of society. They are the leaders willing to take risks, endure hardships, and accept criticisms. Instead of denying the existence of bias-based policing outright and burying their heads in the sand, Virginia made the conscious decision to scientifically study the issue, review the results, and take the necessary actions suggested by the data. The integrity of Virginia's police officers, administrators, and citizens to honestly answer the researchers' probing surveys and questions is to be celebrated. It is just this type of courage and willingness to publicly discuss such difficult issues that has made America what it is today.

By taking this step, Virginia has assumed its rightful place as a leader among the states to improve police-citizen relations and reduce incidents of bias-based policing in America. They are to be congratulated for their effort; however, many will choose to castigate Virginia, the police, and elected officials throughout the country based on some of the findings presented herein. Instead, these findings should not be viewed as a means to

condemn Virginia and other states, but as an opportunity to make needed changes, to encourage others to follow the example and leadership of Virginia officials and citizens, and to improve upon policing in the United States. If attention is focused on the past, success will evade Virginia's present efforts. To capitalize on what has been accomplished in this study by the Commonwealth of Virginia, communities, states, and the federal government should work together to move forward, make decisions, and improve policing and community-government race relationships throughout America. Moreover, to do otherwise would be unfortunate, discouraging, and in contradiction to our heritage.

Virginia, other states, and the federal government have made great efforts over the past several decades toward the reduction of civil rights violations and bias in government. There is still much to be done and the findings discovered in this study provide insight and direction. Following this study, however, Virginia, the federal government, and other states should not be judged by their past, but by what they do now to alleviate bias-based policing. It is only in the response that Virginia, other states, and the federal government take, in regard to the findings, by which they should be judged in the future.

The researchers themselves also must come to grips with a research process that takes them into stormy waters. In every project researchers go through a process of discovery, learning, and epiphanies. It is often an exciting voyage consisting of surprises, realizations, and personal conquests. At times, a research project will provide intense excitement, produce periods of boredom, cause a loss of sleep, and force the researcher to question strongly held beliefs. Research often can become a very personal process for the researcher where he/she discovers that he/she has changed, sometimes in small ways and at other times in very dramatic ways. Research can produce life altering consequences, open the mind to new discoveries, and force the researcher and others to consider alternative views, or even provide new findings that change the perceptions of academe, public administrators, and even the public at large. In the end, however, research can become personal, especially when ethnographic methods are utilized by the researcher, which means that the researcher can become a stakeholder. A person cannot be part of a study such as this and not be disappointed in our history, impressed by our

efforts, and encouraged by our potential as a society.

Finally, at the conclusion of such applied research, the research staff must provide recommendations to public administrators and their communities that can be used to improve the present condition. While these recommendations might seem simple, they will require an organizational shift, cultural change, involve risk, and require strong leadership. Implementation of the recommendations following this study will also require societal commitment and support. Change will be fleeting, positive results unattainable, and resolution impossible if the communities of Virginia do not embrace the changes needed and support their police and government agencies to ensure the success of such an effort. An exciting challenge is ahead for the Commonwealth of Virginia and we are certain that its public will rise up to meet it head on.

# CHAPTER I: INTRODUCTION

## FUNDAMENTALS OF BIAS

The Auburn University Montgomery (AUM) Center for Government (CGOV), in cooperation with the University's Department of Justice and Public Safety, entered into an agreement with the Virginia Department of Criminal Justice Services (DCJS). The contractual agreement was to conduct a study on bias-based policing in the Commonwealth of Virginia. It is important to note that the Commonwealth of Virginia entered into the study not because of pending lawsuits, or as a result of a consent decree following judicial proceedings (Cooke, 2004). The Department of Criminal Justice Services obtained a federal grant to study police bias in the Commonwealth in the interest of being proactive, identifying potential problems, and implementing plans, programs, recommendations, and training that would address any problems or potential issues that might be discovered during the research project. The study was designed to meet four major goals:

1. Review current literature surrounding the issue of bias-based policing; identify best practices found in other states' model policies and training procedures; and make recommendations for Virginia's DCJS policy.
2. Host meetings with focus groups to determine citizen and police officer perceptions of bias in police-citizen interactions and to assist in identifying criteria important to consider in the development of policy and police training regimes.
3. Provide training recommendations for law enforcement that defines acceptable criminal profiles. Provide valid indicators of reasonable suspicion necessary for citizen stops, narcotics enforcement, searches and seizures, and the use of force.
4. Recommend, for both training and policy development, appropriate policing models or strategies that promote police-citizen cooperation and problem solving, and reduce the likelihood of police bias and insensitivity to cultural diversity.

The study consisted of four separate, yet interrelated, parts chosen to meet the goals described previously: (1) a review of the relevant literature on the issue of bias-based policing; (2) the use of citizen and officer focus groups in the Commonwealth of Virginia; (3) the design and administration of survey instruments to police officers and Virginia citizens to assess bias-based policing issues; and (4) data analysis from not only the findings of the focus groups and surveys, but from various reports available from the Commonwealth of Virginia, other states, the courts, and the federal government.

## *BIAS-BASED POLICING DEFINED*

Currently, no single accepted definition of bias-based policing exists. The most commonly identified form of bias-based policing, racial profiling, is also without a single accepted definition. The focus of this research study was not solely racial profiling, but rather an examination of all aspects of biased practices possibly employed by police in Virginia. Therefore, for the purpose of this study, the research staff embraced a broad definition of bias-based policing. Racial profiling, also referred to as race-based policing, and other specific race-related issues are symptomatic of the larger problem of bias-based policing. Vivian Martin (1999, p. A11), a newspaper columnist, however, explains it quite well when she speaks on the issue of racial profiling. She states that it, "...is about a lot more than traffic stops; it's about a way of life."

Consequently, the study was designed to develop a better understanding of police bias as it exists in the Virginia police community and to provide recommendations that would best address the overall problem of bias *per se,* not simply one aspect or outcome. The operational definition selected, therefore, is that: *bias-based policing includes practices by individual officers, supervisors, managerial practices, and departmental programs, both intentional and non-intentional that incorporate prejudicial judgments based on sex, race, ethnicity, gender, sexual orientation, economic status, religious beliefs, or age that are inappropriately applied.*

## *THE IMPACT OF BIAS IN POLICING*

The researchers are in agreement with the National Organization of Black Law Enforcement Executives (NOBLE) when they stated (Davis, Gillis & Foster, 2001, p. 4),

"Valuable time and resources are wasted on creating policies in response to symptoms versus eliminating the problem through a comprehensive systematic approach." It is believed that any inappropriate use of bias is equally harmful to the fabric of American policing and serves to erode our civil rights. In fact, like David Harris (2002) we understand that bias-based policing not only serves to denigrate police-minority relations, but it is in direct contradiction to our standards of fairness and equality, it is illegal, and it is quite simply, "bad" policing.[1] As Harris (2002) stated:

> Racial profiling doesn't work as a crime-fighting tactic. Focusing on minorities does not, as many believe, give police better odds of apprehending criminals in possession of drugs or guns. And taken together, the individual and societal costs of profiling based on race or ethnic appearance threaten to destroy the legitimacy of policing and the law. (p. 145)

Harris (2002) contends that bias also has a negative multiplier effect. If Blacks are more likely to be stopped than Whites due to racial profiling, then when a Black defendant is found guilty and subsequently faces sentencing, there can be additional consequences. Specifically, when a Black defendant is subjected to federal sentencing guidelines his/her offender score could be elevated as a result of racial profiling. Additional stops by the police will result in a higher offender score, which could lead to a longer sentence. This, of course, does not negate the fact that the individual was found guilty of additional crimes, but if the system is biased against Blacks at the early stages of the criminal justice process, it will be compounded later in the system. As Harris (2002) points out:

> The upshot here, and throughout the legal system, is a set of rules, practices, and

[1] Bias-based policing is also suggested to be part of an officer's decision to stop a vehicle, search the driver or occupants, and to search the stopped vehicle. Often, police search the vehicle without the permission of the driver, which is legal in most jurisdictions. The various issues that come to the fore are: First, was the search racially motivated? Second, how successful are the police in finding evidence following a consensual or non-consensual search? Finally, what impact does such a police technique have on the citizen's perceptions of the police? A recent study completed by the Bureau of Justice Statistics (2001, p. 21) provides an answer to the second question. "In 13.3% of the 1.3 million searches, police found drugs, an illegal weapon, open containers of beer, or other possible evidence of a crime. The likelihood of finding criminal evidence was not significantly different between the 845,000 searches without consent (12.9%) and the 427,000 searches with consent (14.2%)…."

> institutions distorted almost beyond recognition. As a society, we look for equal justice under the law; instead, we get a concentrated focus on minorities. We look for the Fourth Amendment to restrain police behavior; instead, we have a free-for-all, unrestrained by the Constitution in any practical sense. We look for punishment meted out on the basis of justice and fairness; instead, we get a prison system containing larger and larger numbers of minority citizens, while others get more lenient treatment. (p. 126)

## *FUTURE STUDIES*

Within the original request for proposal (RFP), it was proposed, federal funding permitting, that the overall study would be extended for an additional two years. Respondents to the RFP were, therefore, asked to project what they would propose for the following two years. Within the response provided by CGOV, it was proposed that the second year would include the development of a series of various police training programs based upon the findings of the first stage of the study. It was, however, indicated that the implementation of training programs would be tempered by what was discovered in the first phase of the research project. Considering the findings of this study, the researchers have broadened their recommendations for the implementation stage beyond that of merely altering policies and adding training programs for police. The third stage was recommended as a reassessment and evaluation stage of the overall project. Certainly, any efforts attempted by the Commonwealth of Virginia to address the problem of bias-based policing must be assessed, altered as needed, and continuously monitored. Bias-based policing is neither static nor singular in nature. Our legacy of race relations is a complicated human issue surrounded by emotion, misunderstanding, lack of communication, and years of racial violence, brutality, and strong feelings of hate. This graphically emphasizes the need to evaluate, change, develop, and reevaluate programs designed to address this complicated, deep-seated, and important issue in our democracy.

At this juncture, a caveat is appropriate. The Commonwealth of Virginia, through this

grant, has been provided with a unique opportunity to address an important social issue. If the Commonwealth and the nation as a whole are to fully capitalize on this effort, it is crucial that recommendations be implemented and appropriately evaluated, and that justified modifications in the recommendations be implemented as needed. Without these crucial steps, there is little reason to conduct the preliminary stage of this project. Far too frequently, following studies such as this, the implementation and evaluation stages are ignored, people become disinterested, other issues take center stage, there is a lack of commitment, and/or there always seems to be insufficient funds to complete the project. In reality, it is the implementation and evaluation stages that are most important. It is these two stages that provide the remedies needed to overcome the identified problem or problems. What practical value exists to identify problems only to ignore their existence and avoid efforts to correct the existing situation?

## *A HISTORY OF BIAS*

While it is unnecessary to once again recite the long and sordid legacy of bigotry and injustice throughout American history, perhaps a few reminders would suffice to set the tone surrounding minority concerns, especially, those of Black Americans, throughout the context of this report. American society has passed discriminatory laws (Jim Crow Laws) and the police have vigorously enforced them. It is hard to accept the racial situation and hatred that existed in the 1950s and 1960s in the United States. Murder, beatings, Ku Klux Klan (KKK) activities, separate facilities for Whites and "colored", police brutality toward minorities, separate schools, and government bodies spying on those involved in civil rights efforts were commonplace. Who can forget those incidents etched on the public memory such as the efforts of Rosa Parks and the Montgomery bus boycott (1955); the fire hoses and police dogs during the Birmingham civil rights riots (1963); Governor George C. Wallace at the doors of the University of Alabama (1963); the Sixteenth Street Baptist Church bombing (1963); the assassination of Dr. Martin Luther King Jr. in Memphis (1968); Robert Russa Morton High School, Virginia (1951); and the "Bloody Sunday" Selma to Montgomery march (1965)? Many older Blacks and Whites today have vivid memories of such incidents and lived through those difficult times. Younger citizens have learned these lessons through their school history lessons, documentaries, and their parents and friends.

Each person, to one degree or another, has an historical reference by which he/she evaluates present actions of government and its agents of social control.

We have seen recent news media accounts of police abuse of power. Such incidents are daily reminders of police actions such as the use of force against Black citizens by White police officers in the Cincinnati, Ohio case of Timothy Thomas (2001), the beating of Rodney King in Los Angeles (1991), the Riverside, California shooting of 19 year-old Tyisha Miller (1998), and the New York City shootings of Amadou Diallo (1999) and Andre Dorismond (2002). Further, only rarely are officers involved in use of force incidents found at fault. To some this documents the fact that officers acted correctly, but to others it is a further sign of racial prejudice at its worst. The perception that officers escape justice when they use force against Blacks is nothing more than further proof of collusion to many Blacks of the White elites and a White criminal justice system protecting White officers. We have seen many major city departments come under investigation for police abuse of authority. Pattern and practice federal investigations have been undertaken in such departments as Miami, Washington, and Los Angeles due to concerns of police brutality against Blacks and others.

Black males represent 45% of the inmate population in the United States, while 34% of the male inmate population is White and 18% Hispanic (Bureau of Justice Statistics, 2003). In addition, while Blacks represent approximately 12% of the population, they account for 40% of the country's current death row prisoners, and one in three executed individuals since 1977 (Amnesty International, 2003). However, we must interject a cautionary note at this point. This data, in-and-of-itself, cannot be taken at face value as an indication of bias, which is a recurring topic throughout this report. The issue is far more involved. As Engel (2002) and her associates have stated:

> The problem with interpreting these findings is that the mere presence of disparity in the aggregate rate of stops does not, in itself, demonstrate racial prejudice, any more than racial disparity in prison populations demonstrates racial prejudice by sentencing judges. (p. 250)

Again, this does not mean that bias is nonexistent only that disparity alone does not

necessarily make for bias. Without appropriate methodological intervention to bring scientific analysis to the issue, certainty in the conclusions drawn cannot be determined.

We have also seen Civil Rights leaders calling for a White House summit (1999) to address the issue of police brutality on minorities, and any number of newspaper articles, studies, and television news programs on police brutality, bias, and the misuse of force against Blacks and other minorities. Perhaps the President's Advisory Board (1998) said it best when they stated:

> Our Nation still struggles with the impact of its past policies, practices, and attitudes based on racial differences. Race and ethnicity still have profound impacts on the extent to which a person is fully included in American society and provided the equal opportunity and equal protection promised to all Americans. (p. 2)

This issue is not a Black issue alone; it is very much a White issue as well. Our history of Black subjugation and slavery has had a tremendous impact on both the Black and White psyche. Do not think for a moment that Whites have not and are not affected by this history, what it represents, and its belief system. While emphasis is traditionally placed on the obvious victims of such repressive systems, they do not stand alone as victims. Creating thought processes that allow for and support the subjugation of humans is damaging for all humans. Further, this mental process requires a very outward process of developing a myriad of requisite psychological and physical control mechanisms, which are also psychologically destructive. The process of psychological and/or physical violence needed to support slavery and subjugation, from a human perspective, is a highly damaging human endeavor. This aspect of social violence coupled with the physical and psychological suffering of the minority victims presents deep-seated, often unspoken, misunderstood, and unrealized emotions and biases that must be worked through if we are to achieve a higher level of equality and fairness. Not to acknowledge these deep-seated fears and injuries for each race is to overlook an important aspect in resolving police bias, and bias in general.

## *BIAS ABROAD*

It is also important to keep in mind that racial and ethnic bias and prejudice is not a uniquely American phenomenon. An observer of human rights violations need only look at other countries such as China, North Korea, Iraq, Africa, Cambodia, Afghanistan, and Yugoslavia to see horrendous human rights violations. This is not to suggest that simply because such violations could be considered more severe in other countries that Americans should stand idly by or ignore any form of human rights violations. America has a world leadership role to ensure that human rights are respected not only in our country, but also throughout the world. This does not mean that we do not, or will not have human rights violations in the future, but what it does suggest is that we have a moral and ethical responsibility to alleviate such violations whenever they occur. Perhaps Zimmermann (1999) put it best in his discussion of the human rights violations in Yugoslavia when he said:

> Whatever our defects, America remains the most successful multiethnic experiment in existence. While the beleaguered Albanians appeal to our power and our support for freedom, the Bosnians see us also as a model of what a multinational society should look like. They will not be the last people to do so. We have the power and we still have the moral force. Most of all, we stand for the simple proposition that people of all ethnic strains can live together, not without tensions, but with tolerance, civility, and even mutual enrichment. (p. 224)

Zimmermann went on to point out the unique ability of America to address contemporary problems and to discover resolutions free from the shackles of the past. Zimmermann (1999) noted that:

> Americans can study their past, draw lessons from it, and gain inspiration from it. But they aren't prisoners of it. We are a future-oriented people. Problems are to be solved, not used as ways to distort the past, lay blame, or take revenge. (p. 229)

This cultural factor gives us hope. It also provides the necessary mind-set to successfully address such issues as bias-based policing.

Our efforts to understand the dilemma that faces the police in confronting police bias has led us once again to the inevitable conclusion that bias cannot be addressed as a single issue or problem. It is a dynamic issue closely related to all aspects of policing and American society. The issue of bias in American culture goes well beyond the confines of the police and their organizations of social control. Putting the issue solely upon the steps of the police demonstrates a total misunderstanding, or a deflection of responsibility and the problem at hand. The police cannot, nor should they be expected to, address the problem of bias alone. Answers and resolutions will occur only when communities decide to address the issues cooperatively. This systems approach to the problem begs the issue of immediate and simple reform. However, it does provide a realistic vision of the issues to be addressed and the effort it will take to overcome the problems of police bias, use of force, racial bias, police brutality, gender bias, bias against those with non-traditional sexual orientations, and so forth.

## *BACKDROP TO POLICE BIAS*

There were three general lessons that surfaced throughout the duration of this study and served as a backdrop to the topic of police bias. It would be helpful for the reader to keep these lessons in mind while reading this report. These lessons not only helped in structuring the issue, but they helped remind us of the breadth of the bias-based policing problem.

Many of the findings below have been discovered, shared, written about, and discussed widely by many in the past. Despite this fact, their relevance cannot be overemphasized in this report or elsewhere. They seem almost too obvious to state, but state we must lest we forget the obvious. It should be kept in mind that it is risky to over simplify and generalize when discussing human behavior and perceptions; however, with this caveat in mind we will proceed.

The lessons were: first, there is no silver bullet. Quite simply, while we search for the key that will solve the problem of police bias we discover that it is an elusive goal. Its elusive nature resides not in the identification of the problem so much as the messy nature of its resolution. Susan Willis (2004) in her review of

the play *Proof* sums up the problem of our attempts to understand human nature quite well when she states:

> It's all so simple and straightforward in mathematics, with none of the messiness or imprecision of real life. In mathematics, knowledge must be certain; in real life, it is too often a matter of question and circumstances, of guesses, near misses, and lucky shots. How we long for the serenity of the mathematical. You do the subtraction in the checkbook and you know how much money there still is. You try to figure out another human being, and the process is much dodgier, more prone to error. There's baggage, there's fatigue, there's emotion. Yet there is the same need to establish what is true, to reach valid conclusions in dealing with each other.

It is not, as many try to define, a single issue between the police and the public. It is a community, national, and even global issue. We cannot hope through a few studies, the introduction of training modules, or the refinement of policies alone to conquer this perplexing human issue. Certainly, they are a step in the right direction, but woefully inadequate alone to surmount such an inherent problem. This is a problem centered in our culture, history, and emotions. We, as a society, can only hope to move toward a solution, not achieve complete victory for the near future. This is not a defeatist mantra, only a reality check. We can do many things to alleviate police bias where it exists, but the police are not the only government entity needing to address the issue of bias, nor can government achieve this objective alone. We must address the issue of equality in this manner if we ever hope to make real and lasting changes in behavior and perceptions.

Second, it is an issue of perception. Perceptions represent reality to their owner and it is not relevant to the person who holds a certain set of perceptions that others do not agree with either the premise of the perceptions, or their validity. The more emotions tied to any given perception, the more difficult it is for the owner to consider alternate views, or to be accepting of those with differing opinions. Victims of bias often find it impossible to continually overlook

"prejudicial" behavior when that behavior is perceived to have occurred frequently to themselves and/or members of their class. Once there has been sufficient perceived evidence of prejudicial acts, the victim class or group will begin to view all actions of the identified offender group with suspicion and caution. The victim class, through their "rose colored glasses" will begin to see the actions of the offender group, in this case the police and, parenthetically, the largely White power structure, as prejudicial, both to them individually and their class as a whole.

This is important to keep in mind by members of the non-minority class. Opinions, statements, assumptions, or behaviors of minorities might appear to a White as unfair, unrealistic, unreasonable, uninformed, or simply an exhibition of paranoid behavior. That is because many Whites in America have not experienced racial prejudice themselves and certainly, as a class, they have not. Further, it is often quite difficult for someone in the middle or upper class structure to relate to the problems of the poor, a number of which are Black and members of other minority groups. Many Whites and certainly many minority group members, especially those who have benefited from the advances since the civil rights movement, will extol the civil rights successes and advancements in American society. Many other minorities, especially those who do not see themselves as having the ability to take part in the American dream, see the failures. To overly simplify, it is the old issue of whether the cup is seen as half full or half empty. If your perception is that the cup is half empty, your view of police practices will be colored differently from that of the person seeing the cup as half full. For a minority group member, the questionable actions of the police are far more likely to be interpreted as racially motivated, especially if they have past memories of such experiences which are consistent with their present perceptions (Schacter, 2001).

Suggesting that minorities view police actions in a different light than do many Whites is not to propose that there is insufficient research suggesting bias-based policing is not with us (see *State v. Pedro Soto*, 1996). Bias exists in each of us. It is only to the extent that the bias presents itself in the decisions and actions of the police that we are in doubt. It is, however, important to keep in mind that minorities as a class are victimized, they are not generally members of the power elite, they are desperate,

they are seeking redress, and they want equality.

Third, neither Whites nor minorities are listening to one another. In the focus groups held by the researchers, it was demonstrated that there is a lack of meaningful communication regarding the issue of bias-based policing between groups. This is not to suggest that efforts are not being made, or that successes have not been realized, or that progress cannot be made, but it is a clear sign as to why that progress is not more rapid.

Interestingly, often when minority members of the citizen focus groups would relay an incident that they experienced personally, or secondhand, it was not necessarily accepted as an example of bias by Whites. However, it was unquestioned among fellow minorities. From a White perspective, and we might add from a police perspective as well, anecdotal reports were not seen as definitive proof by Whites as bias motivated. There were equally plausible explanations for the actions taken during the event described other than bias. Whites and the police would look at the factors described in an incident and consider alternative reasons for what had been described. Minority members of the citizen focus groups were frequently not receptive to alternative reasons. In the minds of many minorities, suggesting that their example of bias might not be correct was not only unacceptable, but it demonstrated to some that Whites were at the very least, uninformed, if not perhaps racist; hence, an impasse.

In truth, an accusation of police bias is a far too important issue to leave to anecdotal reports, or incomplete analysis; in fact, policy developed on inaccurate analysis and/or anecdotal evidence can result in inefficient policies at best, and at worst be counterproductive (McMahon, Garner, Davis, & Kraus, 2002). As Gold (2003) correctly points out, anecdotal evidence is simply not good science:

> Anecdotal evidence of racial profiling and the fact that there is, in many quarters, a belief in racial profiling are significant and important social realities. But as evidence of the reality of some objective phenomenon to which that label is being attached, such anecdotal evidence is unacceptable. Anecdotal evidence speaks more to beliefs than facts,

> especially when the anecdotes and beliefs are themselves being widely publicized in the media. There is more than a real possibility of a vicious circle or self-fulfilling prophecy regarding racial profiling, which begins with claims, is fuelled by publicity, and leads to stronger belief and more claims. An even greater possibility of self-generating smoke without real fire exists where the beliefs have spawned a multi-million-, if not billion-dollar industry devoted to the problem. (p. 391)

We must work with what we have at present and begin to develop an accurate and defendable picture of the actual situation, so that police bias can be addressed in the most appropriate manner leading to the highest level of success. We must deal with our perceptions, feelings, and beliefs, move past our prejudices and anger, and begin to communicate with one another as concerned human beings.

Certainly, these three lessons are merely broad categorizations and there are exceptions to the form and format expressed. However, as previously noted, they do serve as a good backdrop when reviewing the findings, conclusions, and recommendations provided later in this report.

## *POLITICAL CORRECTNESS*

The authors realize that the various readers of this report are affected by those very issues discussed previously. It is likely that the study will be ridiculed because it does not meet the expectations of the reader, it has not gone far enough, or did not lead to the conclusions wanted or expected. However, as one representative in a police officer focus group stated in frustration, "We can't even talk about the real issues because Blacks and Whites are so concerned about being politically correct." This proved to be a telling statement, which helped the researchers to further focus on the study. The researchers attempted to move beyond concerns of political correctness directly to a frank and candid dialogue, and not tiptoe gently through, or dance around the issues. It was obvious to the research staff in focus group meetings that a kind, gentle, and uneventful discussion leading to no positive changes was definitely not wanted or expected, especially by members of the minority community. Citizens have seen that approach

for far too long. What was wanted was a direct and honest approach that would help to set the stage for improving the present condition between minorities and the police. The improvement wanted was not merely with bias-based policing, but also between and among minorities and society as a whole. While it is clear that the research project, as designed, was not intended for such a broad scope, this helped the research staff to focus clearly on the issues and to be forthright and direct in their approach. Consequently, our goal was to address issues head-on, openly, and as fairly as possible. It was believed that this approach would be the only avenue to help the analysts identify clear and decisive recommendations that would benefit the police and citizens of Virginia. What would be left at the conclusion of the study was for the citizens and government officials of the Commonwealth to address the issues identified and to move forward with those recommendations that they collectively agreed to adopt.

This study will have no residual value if decision makers and their respective communities ignore the recommendations and allow the document to collect dust on their desks. This document must be seized upon and incorporated into the planning process to address bias-based policing. If support cannot be mustered throughout the Commonwealth to move ahead with the recommendations found in this document that were deemed appropriate for Virginia then little, if any, progress on this issue will be made.

# CHAPTER II: LITERATURE REVIEW

## POLICE BIAS: WHAT WE HAVE LEARNED

What we have learned about police bias is inconclusive and largely anecdotal. We can discern that essentially no functional research plan was developed prior to many of the studies, that many past studies suffer from serious methodological flaws, and that single-variable models rather than multivariate analysis have been used most frequently. We have learned that agencies have undertaken their own studies without sufficient guidance or assistance from trained researchers, that the media has run with inconclusive results and accused the police of racial bias without sufficient evidence, and that the police have been their own worst enemy in their attempt to study the issue and address the concerns of citizens regarding racial profiling, (e.g., "Driving While Black", Harris, 1999). We now know that there have been many simplistic attempts to address a very complex problem and that inappropriate baselines, denominators, or benchmarks have been utilized to study police bias. Furthermore, no current standards in data collection or analysis exist, and conclusions have been drawn without the identification of a standard by which to draw such conclusions. As a result, the information gathered is insufficient and sufficiently untrustworthy to set policy. Some studies report no conclusions, or indicate that the design is unable to support any conclusions. In fact, Zingraff, Mason, Smith, Tomaskovic-Devey, Warren, McMurry, and Fenlon (2000) clearly note in their evaluation of the North Carolina State Highway Patrol, that while they could document disparity they could not attribute this disparity to discrimination or other racial disparity explanations.

We have also learned the following: (1) we have not established a common definition of racial profiling let alone bias-based policing; (2) most research has concentrated on attempting to discover if racial profiling exists with little effort at determining how to address the problem when it is found; and (3) little is done to evaluate the impact of efforts to help address this issue. We have also discovered that "societal-based" disparities might well be the cause of some heretofore determined bias-based policing, and that there is reluctance by

most departments to collect the data needed to determine if and/or to what extent bias-based policing exists (McMahon, et al., 2002).

This state of affairs is not encouraging considering the concern, effort, interest, and fear that have been generated by this issue. Despite this research, a disconnect between the police and their communities exists and they continue to confront one another over this issue. As a result, no common resolution has been found and we continue to ask the question: how do we resolve this issue? Clearly, we do not solve the problem by continuing to do what we are presently doing. However, we will leave this discussion for the conclusion and recommendations chapter. We will proceed now to discuss precisely where we are and where we have been led in the area of bias-based policing.

## *WHAT OTHERS HAVE DISCOVERED*

A review of past research shows that researchers primarily focus their attention on traffic stops as a means of assessing bias-based policing practices. There are many reasons police traffic stops are attractive to researchers. First, secondary data is available for evaluation. Second, traffic stops often lead to negative encounters with minority citizens. Third, and perhaps the most compelling reason relates to Black and Latino complaints that police stop these groups more frequently even when they have done nothing wrong. Blacks have referred to this for many years as "Driving While Black" (Harris, 1999; Rice, Reitzel & Piquero, 2004).

## *THE WAR ON DRUGS*

Many researchers believe that the war on drugs fosters negative encounters with minorities. The basis of racial profiling is the premise that minorities commit most drug offenses (Coker, 2003). The premise is factually untrue, but it has nonetheless become a self-fulfilling prophecy (Dateline NBC, 2004; for a counterview see MacDonald, 2001). Because police look for drugs primarily among Blacks and Latinos, they find a disproportionate number of these individuals with contraband. This perception creates the profile that results in more stops of minority drivers (Coker, 2003; Harris, 1999; Harris, 2002). Harris (1999) reports that Blacks constitute 13% of the country's drug users; 37% of those arrested on drug charges; 55% of those convicted; and 74% of all drug offenders sentenced to prison.

## *TRAFFIC STOPS*

We believe that only measuring traffic stops or simply assessing traffic secondary data to determine if bias-based policing is occurring falls far short of reasonable tests of this issue. Past research also relies primarily on citizen self-reports and no real research has been done that incorporates the police view (Lundman & Kaufman, 2003; Riksheim & Chermak, 1993; Sherman, 1980). For example, Lundman and Kaufman (2003) argue that secondary data and citizen self-reports are a valid means of measuring the effects of race, ethnicity, and gender on citizen self-reports of traffic stops and police actions. These sources do not take into consideration other factors that might explain what appears to be biased police actions. Lundman and Kaufman recognize that current research in biased policing has limitations. They recommend a triangulated data collection process as the solution that uses police reported data, citizen self-reports and trained observers (Singleton & Straits, 1999; Weitzer, 1999; Pfaff-Wright & Tomaskovic-Devey, 2000; Weitzer &Tuch, 2002; Riksheim & Chermak, 1993; Sherman, 1980). One important consideration missing from these authors' works is that police do more than make traffic stops, and bias-based policing has a potential to present itself in other areas of police work equally. As an example, bias can exist in how police treat minority citizens when they become victims of crime. In reviewing the works of these other researchers, we are concerned that many departments make costly decisions based upon this limited and potentially flawed research. There is a need for additional research that assesses bias-based policing to encompass other areas of police service.

Weitzer and Tuch (2002) found a common belief that a Black person is more likely to be stopped by police than a White person but corroborating information on such stops is limited. The 1999 police-public contact survey by the Bureau of Justice Statistics (2001) found that Blacks were somewhat more likely than were Whites and Hispanics (12.3%, 10.4%, and 8.8% respectively) to report being stopped by police (Weitzer & Tuch, 2002). Stops by police officers can have lasting, adverse effects on citizens, especially when the stop appears to be racially motivated (Weitzer & Tuch, 2002). Based upon the citizen group meetings held throughout Virginia, we also found this to be true. We heard complaints from citizens that dated back many years, but when the citizen relayed the incident, it generated intense anger

and frustration that was visible to everyone in the room. We also learned that other citizens who perhaps did not directly have a negative contact with police, presented cases or incidents they believed were examples of bias-based policing practices, which they learned from relatives and friends who might have directly experienced such a negative contact. There are obvious issues with taking an individual's word that their treatment by the police occurred in a biased manner. It lacks an opposing view and rarely can a sufficient examination of the issues occur.

The officer's approach to the citizen further exacerbates these adverse affects. In Virginia, we learned while talking to the officers from each department that the academy teaches them to ask for the driver's license and vehicle registration before they do anything else. Most of the time, the officers do not tell the citizen the reason for the stop. Obviously, some officers' personalities are such that they conduct business in a brusque manner. The citizens we spoke with indicated that the officer's approach tends to set the tone.

Other research has shown that citizens and Blacks especially, are much more likely to cooperate with officers when given a reason for the stop, and that people put a premium on officers reacting politely, listening to citizens, and explaining their actions (Skogan & Hartnett, 1997; Stone & Pettigrew, 2000; Weitzer & Tuch, 2002; & Wiley & Hudik, 1974). Weitzer and Tuch (2002) point out that when officers maintain a proper demeanor and explain the basis for stops, citizens are less likely to conclude that the stop was racially motivated. Based upon our experiences in talking to the citizens of Virginia, we would concur.

A study reported in the *Crime Control Digest* ("Kansas panel", 2003, May 2), stated that researchers reported the occurrence of racial profiling in traffic stops, based on the records of police departments in six Kansas police agencies. To establish a benchmark, teams of researchers recorded their best guesses of the race, age, and gender of drivers at a particular intersection or along stretches of highways. They then compared the data on traffic stops provided by police departments to the benchmarks established through the researcher's observations. The researchers often guessed at the race of the drivers (Lamberth, 1998). This research fails to address any of the other factors that would cause the police to stop a vehicle. It measures

the percentage of minorities stopped against the total minority populations within a community without assessing other variables such as the transit nature of interstates. To conclude that bias-based policing is occurring because the proportions of stops to the proportion of drivers assumed to be from a minority race is not sufficient (Smith & Alpert, 2002).

The obvious concern is that because of this, and other studies, many police departments took costly measures to ensure that they address these issues. Agencies purchased video cameras to put in their patrol cars to track officer stops. They also initiated specialized training to address racial profiling issues. In other instances, police departments have undertaken a significant effort to collect data on traffic stops and field interviews to determine if police officers' actions are bias-based. Some states, like Texas, passed legislation requiring every police agency in the state to keep statistics on traffic stops.

All drivers, over time, violate traffic laws during their driving careers. The concerns of many researchers is that this becomes the pretext for police motivated by other concerns such as the observation of drivers and passengers for signs of drug use or possession (Harris, 2002; Lamberth, 1998; Lundman & Kaufman, 2003; Meeks, 2000; Rubinstein, 1973). Minorities leave these stops with the view that the police did not have a reason for the stop and argue that if a traffic law was not violated then the reason for the stop was because of the person's race or color (Lundman & Kaufman 2003). Laws have recently been enacted to address this issue. The State of New Jersey has gone as far as making racial profiling by police a felony ("New Jersey consent", 2003, January 17). This new law creates the crime of official deprivation of civil rights, making it illegal for law enforcement officers to use race, color, religion, ethnicity, handicap, gender, age, or sexual orientation to discriminate against any individual ("New Jersey: New", 2003, March 14). This law creates confusion as to when these elements can be considered as a legitimate part of investigations and as a part of normal patrol functions. Texas, Minnesota, Maryland, New Jersey, and other states are enacting legislation that makes racial profiling illegal and in some instances, a felony.

## *THE JUDICIAL IMPACT*

The courts have also sent mixed signals on the issue of probable cause for traffic stops. In

*United States v. Arvizu,* the Supreme Court held that the Fourth Amendment does not prohibit investigatory stops as long as the facts and circumstances lead to a reasonable suspicion that the driver is engaged in criminal activity. In other words, officers can stop vehicles without a traffic violation. Other case law also supports this assertion. *United States v. Sokolow, United States v. Cortez,* and *United States v. Brignoni-Ponce* all support that an officer may make an investigatory stop if the totality of the circumstances leads to a reasonable suspicion that criminal activity is afoot. These cases all support the *Arvizu* decision (Pelic, 2003). This makes the identification of biased policing practices more difficult to identify. Scholars criticize the reasonable suspicion analysis for encouraging racial profiling and permitting an officer to stop a vehicle for any reason (Pelic, 2003). Critics complain that this invites racial profiling, because it uses stereotypes and profiles (Harris, 1997). Others contend that it does no such thing and that racial profiling is not encouraged and certainly not allowed in a reasonable suspicion analysis (Pelic, 2003). At one time, the Supreme Court permitted race as a factor (United States v. Brignoni-Ponce, 1975).

Additional confusions were recently interjected into this bias-based policing issue when the Justice Department adopted a new policy banning racial profiling in all federal law enforcement agencies, except in cases that involve identification of possible terrorism suspects ("Justice dept. bars", 2003, July 15). This confusion strongly suggests that the concept of racial profiling remains poorly defined and arbitrarily used.

## *CULTURAL DIVERSITY*

Other researchers found that cultural diversity training heightens awareness of the historical and contemporary plight of minorities and sensitizes officers to their own covert and even overt forms of prejudice and discrimination (Coderoni, 2002; Meehan & Ponder, 2002). However, study findings suggest that a focus on individual attitudes and behavior misses the underlying societal and occupational structural problems that produce racial profiling (Meehan & Ponder, 2002). Meehan and Ponder (2002) found that even the most racially sensitive officers engaged in what is perceived as racial profiling. It is not clear that prejudicial attitudes or intentions motivated officer behavior. It is also clear that commitment from top management is required in order to

curtail racial profiling (Coderoni, 2002; Rivera, 2001).

## *CONFUSION EXISTS*

The issue of bias-based policing is confusing to most officers and, to some extent, citizens. During our on-site meetings with police officers, we were often asked, "What do you mean by bias-based policing practices?" This was a legitimate question because most people cannot define what constitutes bias-based policing (Malti-Douglas, 2002; Smith & Alpert, 2002). Bias takes many forms and it is not always racial bias that is an issue. Religious bias, sexual bias, cultural bias, and other forms of bias are also part of the social equation in which police find themselves engulfed. We often find the term "cultural diversity" used to describe this mix of social issues.

As noted previously, the U.S. Justice Department adopted a new policy banning racial profiling in all federal law enforcement agencies except in cases that involve identification of possible terrorism suspects ("Justice dept. bars", 2003, July 15). This raises many questions. Why is it permissible to use race as a discriminator where terrorism is involved and not in other serious crimes? Since September 11, 2001, the arrests and detention of hundreds of people have created considerable controversy. Many of these people would not have been subject to this treatment were it not for ethnic characteristics, and the government has not yet provided evidence linking them to terrorist activities. Furthermore, it is not likely that ethnic profiling will be any more useful or constitutional than racial profiling (Rudovsky, 2002).

Prior to the 1970's, racial prejudice was still the basis for many state and local laws, and many police administrators and police officers argued publicly that racial prejudice was appropriate and reasonable (Engel, Calnon, & Bernard, 2002). Recent research shows that racial prejudice decisions are no longer as prevalent but still occur. Modern research is no longer consistent with earlier research on the extent to which race, *per se*, directly influences police decisions (Engel, Calnon, & Bernard, 2002; Sherman, 1980; Zatz, 1987). This recent research suggests that police officers' behavior is predicated primarily by legal and situation-specific factors and that the influence of race and other extra-legal factors is diminishing (Engel, et al., 2002; Mastrofski, Worden, & Snipes, 1995; Riksheim & Chermak, 1993).

During our on-site visits with the various departments, we often heard that the officers, White or non-White, do not look at race as an issue. They indicated that individuals' behavior was the determining factor for stopping individuals.

The difficulty appears to be in defining exactly what is bias-based policing. While researchers have reported that police stop Blacks, Latinos, and other races more frequently, it is difficult to say with any degree of certainty that these stops are because of biased policing tactics. We know from other research that minorities are not only stopped more frequently, but that police subject them to searches at a rate ranging from two to two and a half times that for Whites ("Traffic-stop", 2003). The problem is that this does not prove that biased policing occurs. The research does not address why the police stopped these people, only the proportion of times police found contraband in stops they made. To postulate that these findings conclude that bias-based policing exists because of these percentage differences is a leap of abstraction that lacks the analysis of other variables that might explain these percentage differences.

Interestingly, when looking at vehicle search data from Maryland, Knowles and Persico (2001) utilize an optimal auditing model in their analysis. Essentially, the authors want to determine if officer behavior is prejudicial or if it is merely consistent with maximizing behavior that results in guilt. When considering "guilt rates", (i.e., drugs found during the search of the motor vehicle), the authors concluded that: "Thus our findings suggest that police search behavior is not biased against African-American drivers. The lower guilty rates for Hispanics are suggestive of prejudice against this group." Knowles and Persico (2001, p. 228) go on to state, "When we look at the probability of being found with drugs in large quantities, this probability tends to be higher for African-American drivers, which would imply a bias against White motorists." This research effort not only suggests a rational decision-making process is being incorporated by the police, but that their results are not prejudicial against African-Americans, however it is against Hispanics, and perhaps, in some instances biased against Whites.

Much of what we learned in reviewing the work of other researchers is that the data does not support the broad-based conclusions that

the findings represent biased policing practices. A number of people perceive bias-based policing to exist on a large scale but the evidence does not support these perceptions (Kruger, 2002; McMahon et al., 2002; Melchers, 2003). Most of the research draws conclusions of racial bias from the analysis of secondary data primarily pertaining to traffic stops and the proportions of minorities stopped to that of other groups or to the population as a whole.[2] McMahon et al. (2002) raised this issue in their study as they pointed out that too often researchers' base their conclusions on comparing preliminary data on traffic stops to the demographics of the jurisdiction. The problems with these types of evaluations are that the conclusions might not be correct and agencies develop corrective measures based upon these incorrect assumptions.

Melchers (2003) points out that there are two problems with the assumption that proportions of drivers stopped by police should be identical to proportions within the population. The first relates to the use of population data and the second to the assumption of randomness in police vehicle stops. Melchers also points out that when comparing incidence to population, one inevitably creates the false impression that any group with some number of members who are stopped frequently is overrepresented as a whole. This creates serious statistical errors. When the nominator and the base in a rate do not have the same units of count, or when the units of counts are insufficiently interrelated, a base error has occurred. Base errors lead to false conclusions about the analyzed data. Melchers also points out that large errors in interpretation can occur when researchers use incidence statistics to infer prevalence. This is aggregation error. Combining both base errors and aggregation errors leads to faulty findings. The researchers often publish these findings, which leads to false assumption and actions taken in response to these faulty findings that are costly to local, regional, and state government.

## *TRACKING POLICE STOP DATA*

Many agencies have implemented data collection methods and, in some instances, require by law that police track whom they stop, the purpose for the stop, and the result of

[2] The New Jersey state police admitted to using racial profiling. This is sufficient evidence for some to make the leap and infer that all instances where a variation exists that police bias is the reason, i.e., variation indicates bias.

the encounter. While accurate and meaningful data collection might have some social science and management value, many researchers recognize that much of the research accomplished to date has major pitfalls (Fridell, Diamond, Kubu, & Lunney, 2001; Kruger 2002). Certainly, "The simple collection of data will neither prevent so-called 'racial profiling' nor accurately document a law enforcement agency's activities as a means of protecting it from public criticism, scrutiny, and litigation" (Kruger 2002, p. 8). Researchers have found disparity, but the motives involved in each traffic stop, citations, and searches by individual officers cannot be determined (Farrell, McDevitt, Bailey, Andresen, & Pierce, 2004). Further, many correctly argue that it is critically important that this research be methodologically sound or it can lead to misrepresentations and further divide the police and the communities they serve (Gold, 2003; Kruger, 2002; Smith & Alpert, 2002; Wortley, & Tanner, 2003).

Good science requires that researchers carefully distinguish between situations in which the police are using race and where they are finding race (Gold, 2003). Current researchers rarely distinguish random traffic stops from other forms of traffic stops. A flawed notion is that traffic stops are random. Police officers make stops based upon traffic violations or in search of known offenders. While the first reason provides the opportunity for officers to stop a vehicle because the driver is Black or Latino, that is very different from stopping a person who looks like a person the police are looking for and who happens to be Black. Statistics on police stops must exclude stops involving the police looking for a racially identified perpetrator (Gold, 2003; Walker, 2001).

Gold (2003) also points out that there can be greater than random contact with visible minorities. If police activity is stepped-up in response to community concerns about local drug pushers or local speeders and that community is economically disadvantaged and more heavily populated with visible minorities, statistics will be skewed towards more police-minority interactions. However, police are often giving greater attention to that area to reflect community concerns. During our on-site meetings with the various Virginia police agencies, the officers raised this very point as an issue. The areas of highest demand for police service tend to be in the minority communities. If citizens in minority communities are calling for police service more

frequently than other portions of the community because of criminal activity, then it makes sense that police will likely engage a higher number of people because of the level of activities. This includes more traffic stops, more field interviews, and more arrests. Yet, much of what we see in the current literature infers that police contact should be proportionate to population demographics and ignores all other intervening variables.

The views shared by the Virginia police agencies during our discussions might have larger support. In an article printed in the TELEMASP Bulletin (TELEMASP, 2001), the author stresses that the police deploy officers to where they are needed. Thus, more traffic stops will occur in areas of high service demand. The author makes the point that research has shown that deployment patterns significantly impact racial proportion of traffic stops. In Richmond, Virginia, the average Part I (i.e., serious) crime rate is 45% higher in majority Black census tracts compared to majority White census tracts (Smith & Petrocelli, 2001). Analysis shows that Richmond police stop more Black citizens. Other cities also stop minorities at higher disproportional rates than Whites (Carter, Katz-Bannister, & Schafer, 2001). The TELEMASP author states that because police are deployed to an area where crime is occurring and because they take a proactive approach, this is precisely why more minorities are stopped. The author further states that no one suggests that deploying the police proportional to a crime or call for service demand constitutes racial discrimination and that the opposite would be the case if the police deployed absolutely proportionately across a jurisdiction ignoring crime rates and the demand for service. Moreover, the quality of police service in minority neighborhoods would plummet, and criminal victimization would increase if deployment occurred proportionately (TELEMASP, 2001).

## *PROACTIVE POLICING*

Proactive policing encourages officers to get involved even with minor incidents that are outside the scope of policing but of interest to the community. Proactive policing is supported and promoted by Community Oriented Policing, where the premise is service. Service is a different concept than crime fighting. There is growing support for the concept of police as service organizations. The problem is in police reaching a service mentality. Agencies that establish a culture primarily focused on crime reduction are more

likely to experience bias-based policing and increases in officer misconduct. The result is an attitude to reduce crime by any means necessary, and in many cases, target people based on race, biases, and stereotypes (Davis, 2001b). Davis (2001b) points out the negative impact such programs as the "War on Drugs, War on Crime, Scorched Earth, and Zero Tolerance" have on society. These programs may contribute to a culture of community intolerance and a "we versus them" mentality, which ultimately contributes to the poor community relations. In David Harris' "Driving While Black: Racial Profiling on Our Nation's Highways," (1999) he also contends that blame for the rampant abuse of power also can be laid at the feet of the government's "war on drugs." Harris refers to this as a fundamentally misguided crusade enthusiastically embraced by lawmakers and administrations of both parties at every level of government.

During our meetings with the citizens of the communities we visited, we often heard about illegal searches that occurred, either to the person relaying the story or someone they claimed to know. While the Fourth Amendment protects us against unlawful searches and seizures, the courts have provided support to police officers stopping someone on mere suspicion of wrongdoing. In *Whren v. United States (1996)*, the Supreme Court ruled that it is lawful for police to stop and search a vehicle as long as they had a legitimate excuse to stop the vehicle. Since *Whren*, the court has supported this decision through other cases. *Ohio v. Robinette* (1996) indicated that officers do not have to tell the subject that he/she has the right to refuse the officer the authority to search a vehicle. *Maryland v. Wilson* (1997) gave officers the authority to order everyone out of a car even in the absence of a safety issue. These cases provide legitimacy to officers stopping and searching vehicles without a real basis for such action.

## *HISPANICS AND TRAFFIC STOPS*

Most of the research completed to date focuses on Blacks and proclaimed police bias. Hispanics also claim to experience a disproportionate number of stops, although they fall within a unique category. Hispanics are more favorable toward the police than are their Black counterparts, but less favorable than Whites (Carter, 1983; Cheurprakobkit, 2000; Dunham & Alpert, 2001; Weitzer, 2002). As we learned during our on-site

reviews with the various departments, the Hispanic population within the Commonwealth of Virginia is growing at a rapid rate. This influx of Hispanics seems to be greatest in the northern part of Virginia. These growing Hispanic populations have differing effects on the bias-based policing issues.

## *LITERATURE SUMMARY*

In reviewing the works of other researchers, it becomes clear that much more quality research is necessary if we are to gain a true perspective of the bias-based policing issues faced in this country. The research to date focuses on statistics and citizen self-reports. We were unable to find a comprehensive study that examined the officer's perspective. While we found surveys intended to assess actions police chiefs have taken to alleviate biased policing practices (e.g., Fridell, Diamond, Kubu, & Lunney, 2001), we were unable to find any surveys intended to measure the officers' perspective. In addition, the research to date focuses on traffic stops and ignores other critical tasks officers perform daily where biased policing would have a much bigger impact on police community relations.

Another significant mistake that we found while conducting this literature review is that research tends to focus on police and ignores, almost entirely, the potential for other biased criminal justice practices. Researchers tend to ignore the District Attorneys, Courts, and Corrections and only focus on police. During our on-site focus group meetings, many of the legitimate concerns raised were not incidents of bias-based policing but pertained to the District Attorney's actions or the action of the judge. These other areas of the Criminal Justice System require far more research.

The approach we took in Virginia was unique in that we attempted to obtain information about bias-based policing practices from both the perspective of the officers, as well as the citizens. The citizen questionnaire was designed to measure the citizens' perspective. For the first time, we are able to conduct a comparison of the police and citizen perspectives and identify any gaps between the two.

## *PROFILING*

For the sake of clarification, it is important to take a quick look at the issue of profiling, since it was racial profiling that helped to bring bias-

based policing to the attention of the courts, police, and the public. Criminal profiling has been used, at least officially, by police for well over twenty years. It has been used to identify airline hijackers and drug-couriers, and been made famous by the elite FBI serial crime unit. This unit establishes serial killer profiles to help police identify likely serial killers in specific cases. The profiling of serial killers has also been glorified by hit movies such as *Silence of the Lambs*.

Criminal profiling is an effort to identify personal and psychological characteristics that the person who committed a specific crime would exhibit. However, profiling is also used to determine the personal characteristics and methods used by those who are in the process of, or preparing to commit a criminal act (e.g., drug couriers, sex offenders, fleeing drivers, and hijackers). There are many problems with profiling in general; in fact it has been referred to as "junk science." New York Police Commissioner Raymond W. Kelley has referred to racial profiling as "dumb policing" and those in the American Civil Liberties Union quite simply state that (Kamlani, 2002, p. 4), "Profiling as a science is notoriously ineffective...."[3] In this study the problem is compounded when profiling becomes racial profiling disguised in its many costumes. Specifically, profiling presents serious problems when the characteristics used to profile are yet unproven (United States General Accounting Office, 2000) and, in actuality, highly ineffective in achieving the objective of their design. Consider, for example, the case of the U.S. Customs Service. Once the U.S. Customs Service stopped racial profiling to target smugglers and began focusing on such factors as behavior, they increased their hit rate by 300% (Amnesty International, 2003). In addition:

> ...when the U.S. Customs Service reformed their search

[3] A report issued by the U.S. General Accounting office in March 2000 reported that:

- Only about 3% of passengers selected for pat downs and other body searches are found to be carrying contraband.
- Three quarters of passengers selected for strip searches are innocent.
- African-American men and women were nearly nine times as likely, and Hispanic-American men and women nearly four times as likely as White-American men and women to be X-rayed, though they were not more likely to be found carrying contraband.
- African-American women were nearly nine times as likely as White-American women to be X-rayed, even though they were half as likely to be carrying contraband.
- African-American men were nearly nine times as likely as White-American men to be X-rayed, even though they were no more likely to be carrying contraband (Drug War Chronicle, 2000, p. 1).

> procedures to eliminate racial, ethnic and gender bias in their search activity while instituting stronger supervisor oversight for searches, they were able to conduct 75% fewer searches without reducing the number of successful searches for contraband carrying passengers. And, the hit rates were essentially the same for 'Whites', 'Blacks' and 'Hispanics'. This means that by eliminating racial profiling, the Customs Service was more efficient and equally likely to catch passengers carrying contraband while reducing the number of innocent people who were subjected to the indignity of a search by three-quarters (Ontario Human Rights Commission, nd)

While there are numerous traps in which profilers can fall, we will only briefly touch upon some of the basic shortcomings of profiling efforts. However, it should be noted at the outset that appropriately determined profiles can be useful to the police in investigating criminal activity. The problem arises in that determining a methodology that is consistent and produces highly accurate and reliable profiles is an almost impossible task under the best of social science conditions. At present we do not have, in the vast majority of situations, the benefit of even acceptable quasi-experimental methods used to develop or to evaluate and determine the predictability of profiling schemas. These unscientific profiles or soft profiling criteria are based upon untested and unscientific methods. However, scientific or hard profiling criteria are observed or proven criteria that describe specifically the criminal(s) to be arrested or at least stopped and investigated. This would include descriptions based on records and/or to some degree eyewitness description. Hard profiling would also include scientifically determined profile criteria that produce desired results that are constitutional, and are continually monitored and evaluated to ensure continued accuracy over time.

Soft profiles that have been developed often have a distinctively comic flavor as noted by dissenting Circuit Judge George C. Pratt in *United States v. Hooper* (1991, p. 14). Judge Pratt demonstrates his contempt of Drug

Enforcement Administration profiling in his dissent when he begins with the following:

> "When I use a word," Humpty Dumpty said, in rather a scornful tone, "it means just what I choose it to mean—neither more nor less."
>
> "The question is," said Alice, "whether you can make words mean so many different things."
>
> "The question is," said Humpty Dumpty, "which is to be master—that's all."
>
> L. Carroll, Alice Through the Looking-Glass (1872).

Judge Pratt (United States v. Hooper, 1991) goes on to state, "...the DEA apparently seeks "to be master" by having "drug courier profile" mean, like a word means to Humpty Dumpty, "just what I choose it to mean—neither more nor less."

> To justify their seizure of Hooper's bag the agents testified he had come from a "source city" and fit the DEA's "drug courier profile". Yet the government conceded at oral argument that a "source city" for drug traffic was virtually any city with a major airport, a concession that was met with deserved laughter in the courtroom. The "drug courier profile" is similarly laughable, because it is so fluid that it can be used to justify designating anyone a potential drug courier if the DEA agents so choose. "The [DEA] has not committed the profile to writing" and "the combination of factors looked for varies among agents." ...Moreover, a canvass of numerous cases reveals the drug courier profile's "chameleon-like way of adapting to any particular set of observations." (United States v. Hooper, 1991, p.15)

Judge Pratt continues in his dissent to point out some of the "chameleon-like" profiles that the courts have been asked to consider: arrived late at night; arrived early in the morning; one of the first to deplane; one of the last to deplane; deplaned in the middle; used a one-way ticket; used a round-trip ticket; carried brand-new luggage; carried a small gym bag; traveled alone; traveled with a companion;

acted too calmly; wore expensive clothing and gold jewelry, dressed in black corduroys, white pullover shirt, loafers without socks; dressed in dark slacks, work shirt, and hat; dressed in a brown leather aviator jacket, gold chain, hair down to shoulders; dressed in a loose-fitting sweatshirt and denim jacket; walked rapidly through airport; walked aimlessly through airport; and had a white handkerchief in his hand.

The way the profile was developed, by whom, and under the "scientific" conditions the profile was determined greatly influences the probability of accuracy. If, for example, the profile represents the "experiences" of a single police officer that he/she uses to train new officers and the profile has not been subjected to scientific evaluation, then it is unlikely to be valid; although, it will be carried on by the new generation of officers who have accepted it as fact. For example, if the profile includes Black male drivers, alone, on a certain highway, during a certain hour of the day, driving a certain type of vehicle, who are likely to be carrying drugs, then, guess what? Officers stopping those who fit this description will make some arrests; however, the department's neglect to consider several important factors such as: first, how many stops of those fitting this description did not result in an arrest? Second, how many individuals did the officers watch drive by not fitting that racial profile that were not stopped and were carrying drugs? Third, how many innocent people were stopped by the police in relation to the number arrested? Very few departments can answer any of these questions.

If a department cannot answer these simple questions, how can the department prove, corroborate, or even encourage the use of profiling, however it is practiced, as a necessary and valuable law enforcement technique? Without this type of information, there is no benchmark by which to compare success. In those studies that have been conducted to determine "hit rates", it brings into serious question not only racial profiling but various other high-discretion police tactics (Harris, 2002). Consider the implications of the fallacious profiles established in the Beltway Sniper case or that of the Oklahoma Bomber. Also, consider the likelihood of sophisticated drug dealers developing an understanding of the drug courier profile, or other profiles used for other purposes, and changing their behavior so that their cohorts do not fit the profiles that are in obvious use by the police.

Given these failings, why would the police continue to use profiling? This is a reasonable question deserving of an equally thoughtful response. Profiling is used in an attempt for police to find some order in the constant chaos in which they find themselves. Attempting to thwart criminal behavior and to protect the public is a difficult task under the best of conditions and, certainly, no one would argue that the police work under ideal conditions. In their zeal to do their jobs well, they have developed a mechanism, or short cut, that seems to provide evidence of success. Quite simply, the profiles they use result in arrests and, thus, they continue to use these profiles. Some of the problems listed previously have yet to be understood by practitioners in the field. As these shortcomings become better understood, officers will not only question the assumptions upon which profiles are based, but they will become less inclined to allow profiles to be used out of context, or without some acceptable degree of proof that they, in fact, serve the function for which they were developed.

In some situations the use of racial profiles is nothing more than a blatant form of bias played out by officers that only further substantiate the rightness of their racial biases by discovering criminals among the racial group of which they despise. Of course, officers will find criminals among any racial group they target. What social value do the police provide to the public when they racially profile? The answer to that question is quite simply, none.

The role of the individual officer is not the sole form in which racial profiling is taught or encouraged. Department wide policies, training, and procedures have been used to encourage racial profiling. At times the efforts have been overt, but in other situations the departments have unofficially or even unknowingly supported racial profiling. For example, while departments have insisted that they have not supported racial profiling, their training design and presentations suggest otherwise. It is simply the inability of command staff to understand the impact of training processes on officer beliefs and behaviors. Officially telling officers that racial profiling is not used, but then using largely minority races as examples of what to look for when doing drug interdiction sends a double message (Harris, 2002; *State v. Pedro Soto*, 1996). The officers recognize the double message, and "know" what is actually meant (Kocieniewski & Hanley, 2000). While the department must be politically correct, here is

the real learning that needs to take place. The higher level of administration might be unaware of the training designs but in the end it is their responsibility to establish controls within their department to ensure that training and officer actions on the street are in accord with the policies and procedures that they have sanctioned.

Profiles are extremely important to officers when they are looking for specific individuals such as one fleeing from a crime; however, it is well known that even eyewitness accounts can be terribly inaccurate. It is appropriate and reasonable for descriptions of law violators to include the type of clothing they were wearing, skin color, hair color, make/model/color of the vehicle they were driving or own, and so forth. This information provided by eyewitnesses or from records can be very useful to officers in their search for violators. However, unproven profiles used to identify potential law violators add nothing yet detract much from police effectiveness and the public's perception of them.

## *THE VIRGINIA APPROACH*

While there are exceptions in all generalizations, and while police agencies in other states have approached the issue of bias-based policing in a similar manner, it seems appropriate, since this is a study of Virginia, to refer to this method as the "Virginia Approach." Further, it is important that the reader fully understand that this process has been anything but problem-free for Virginia. On the other hand, bias-based policing in Virginia has not created the citizen and judicial castigation that it has in other jurisdictions to date.

The important issue is the manner in which Virginia, as a whole, and various departments have approached the bias-based policing problem. The goal of Virginia police departments should be to address the issue in a manner that will decrease bias-based policing to an absolute minimum; monitor the problem; and address violations vigorously.

The Virginia approach is a responsible, planned, and proactive approach to the issue of bias-based policing (Discriminatory Profiling Committee, 2002). This is not intended to mean that bias-based policing has not been vigorously debated, that departments have been free from complaints from citizens regarding bias-based policing, that the state is totally free from such acts of prejudice, or that it has been

relegated to only some local jurisdictions, for this is not the case in the Commonwealth. In fact, not only has bias-based policing, beginning with "Driving While Black" (DWB), been a major issue, but the fever pitch of this issue caused Governor Mark R. Warner to convene an Advisory Committee on Bias-Based Policing. The Commission was directed to assist DCJS in implementing provisions of House Bill 1053, which was approved by the General Assembly in 2002. The legislation directed:

> ... DCJS to take action to assure that law enforcement officers are sensitive to diversity and aware of the potential for biased policing. Specifically, DCJS must address biased policing in its basic and in-service training standards for law enforcement officers, and publish and disseminate a model policy on biased policing for use by law enforcement agencies in Virginia. (Governor's Advisory Panel, 2003).

These past efforts have resulted in General Order #2-1A Bias Reduction, which was included in the *Sample Directives for Virginia Law Enforcement Agencies* manual, the Virginia Law Enforcement Professional Standards Commission added an anti-bias practices and directives (ADM.02.05) requirement, and additional bias-based training modules for recruits and in-service officers have been added to the training curriculum. In fact, a result of the commissions' efforts allowed for the very grant by which this analysis was able to take place.

When the issue of DWB began to gain the attention of the police and the public nationally, Virginia departments were on the forefront addressing this issue. Virginia departments were part of nationwide studies, and the Virginia Association of Chiefs of Police developed a video on bias-based policing to be used in training. In addition, departments began setting policies regarding bias-based policing, DCJS developed policies and training modules on bias-based policing and cultural diversity, and efforts were made to work with the Virginia communities by their police departments to address this issue. Moreover, some agencies put together department-wide committees to review their departments to discover not only potential problem areas, but to provide recommendations on how the department "can

still do better" in dealing with issues of bias-based policing.

Again, this is not to suggest that Virginia is problem-free, for we will discuss many of the problems as we progress, but their overall response, openness, and willingness to address this problem directly speaks volumes as to why they have achieved the success they have. In fact, it would be natural to assume that a southern state with large metropolitan areas having extensive minority populations combined with sparsely populated rural areas with major minority populations would be a prime candidate for bias-based policing. However, it has not been the Commonwealth of Virginia that has fallen prey to such accusations. In reviewing judicial incidence of bias-based policing, it is various other states that have had actions against the police for bias-based policing. This observation is likely to have many explanations and we will leave much of that to our colleagues in sociology, psychology, law, and anthropology. It is this set of circumstances that encouraged the researchers to look for best practices in departments that would help explain the successes that have been achieved.

While there are those who would argue that the successes are minimal, the fact remains that Virginia departments have taken several steps in reaction to bias-based policing concerns. While it is not possible to determine with any precision a cause-effect relationship, our research effort has provided insight into the issues. Certainly, these efforts provide us with clear guideposts on what has and is being done by some Virginia departments in order to reduce the potential for bias-based policing. At the present time, this is the most current information that is available.

## *VIRGINIA BEACH POLICE DEPARTMENT*

Researchers found that officers and supervisors were well versed on the topic of bias-based policing. Training on cultural diversity and racial profiling were common and many departments had researched and responded to this issue in a variety of ways. The Virginia Beach Police Department, as an example, established the Discriminatory Profiling Committee (DPC) in August 2001. The DPC produced its final report in October of 2002. It is not clearly stated in the final report what the charge of the DPC was; however, the document speaks to bias-based policing issues

and provides recommendations for the Chief to consider. The DPC was composed of command staff and officers representative of department seniority, rank, race, and gender. Members of the DPC were provided with over 400 pages of background materials to review. Members of the DPC also attended a national symposium on racial profiling, a statewide seminar, numerous local programs, and solicited the community to provide input to ensure that members of the DPC were familiar with the issues and what was occurring throughout the country.

Among their findings, the DPC felt that discriminatory profiling was not prevalent within the department; however, there was a perception among minorities that it does occur. They also noted that certain practices of the police, while valuable, add to the perception of profiling when not used appropriately. The DPC also concluded that collecting data to combat discriminatory profiling would, at present, be inappropriate. They did, however, recommend the collection of data on all searches conducted in connection with traffic and pedestrian stops. They encouraged the adoption of a policy that would discourage the indiscriminate use of consent searches and pretextual stops, and it was further recommended that searches and stops be based upon articulable suspicion. Members of the DPC recognized the importance of early warning systems for complaints and strong policies discouraging bias-based policing. Furthermore, the DPC encouraged the continuation of diversity and profiling training. However, they believed that it should be incorporated into all aspects of training and not taught as a separate block of instruction. They pointed out the importance of continued efforts to educate the public about the department and emphasized the role of the first-line supervisor in preventing discriminatory profiling. The DPC also suggested that the department maintain a standing committee that would remain current with the issues and assist with community outreach, issue personalized business cards to officers to provide to citizens, and test the system to ensure that it is functioning properly.

## *FURTHER CONSIDERATIONS*

The researchers would like to make some initial comments regarding two of these recommendations. First, The Traffic Stop Statistics Study Act of 2000 (H.R. 1443. S.821) was introduced (as of this writing it has yet to pass Congress) by Representative John Conyers

(D-MI) and Senator Frank Lautenberg (D-NJ) to require the collection of data from traffic stops by all state and local law enforcement agencies. Also, a number of states have passed legislation requiring police to collect data such as Colorado, Connecticut, Maryland, Kentucky, Nebraska, Missouri, and Oklahoma. Several other states have introduced racial profiling legislation.

Some departments such as the New Jersey State Police; the City of Highland Park, IL; Montgomery County, MD; Cincinnati, OH; and Mount Prospect, IL have entered into comprehensive consent decrees requiring these police agencies to meet specific standards (PSComm, 2000). In the New Jersey consent decree, rectification of racial profiling by the state police is laboriously laid out. The Attorney General's Office was given oversight responsibility to oversee and ensure that the consent decree is judiciously adhered to by the state police, and an independent monitor was established. The consent decree requires policy changes, specifically identifies the data that troopers must collect for each and every traffic stop, the type of data and policies by which consent searches are to be conducted by troopers, and the data collection included in required reports by troopers conducting non-consensual searches of motor vehicles. The consent decree also directs the use of drug-detection canines and mandatory report forms for each use of such canines, and the installation of mobile video/audio "... equipment in all patrol vehicles engaged in law enforcement activities on the New Jersey Turnpike and the Atlantic City Expressway." ("In the United", 1999). The state police are also required to implement a management awareness program that includes the implementation of computerized systems for maintaining and retrieving information such as that collected by troopers on motor vehicle stops, communication center data, and citizen complaints. Supervisory management reviews are required in the consent decree and their method of accomplishment is specifically determined. The consent decree also establishes standards and requirements for misconduct allegations, a Professional Standards Bureau, trooper training and oversight, field training, and numerous other relevant areas of police management.

Certainly, even the casual observer must ask why agencies with the resources, training, and professional standing of those listed previously would find themselves in such a situation that a consent decree would be necessary. Perhaps

Zimmermann (1999) expresses the problem best when he states:

> "Herein lies a dilemma that could be called the 'paradox of prevention' and that applies to crises everywhere: it's rarely possible to win support for preventive action at a time when the circumstances that unambiguously justify such action have not yet arrived." (p. 140)

Quite simply, the issue of racial profiling and police bias in decision-making had not reached the level of local or national attention, needed to encourage change. Now that we have reached that level of attention, police agencies and their communities should realize that addressing bias-based policing is imperative if they are to avoid future litigation on this issue and forced resolutions for which they have little control in directing. The question has thus become not if or when, but how will the police department address bias-based policing to ensure that rights are protected and the department avoids the inevitable intervention of the courts if they do not address this issue properly? In fact, addressing this issue properly is only good police management and if done well, can have the added benefit of improving police management overall.

The National Organization of Black Law Enforcement Executives (NOBLE) supports data collection (Davis, 2001a; Davis, et al., 2001), as does the American Civil Liberties Union (ACLU) and the National Association for the Advancement of Colored People (NAACP). In fact, NOBLE notes that not only is there practical value to the collection of such data, but there is symbolic value to the community as well. Quite simply, NOBLE argues that a department that collects such data is sending a clear message to the citizenry that they care and that the department is addressing the issue. Hence, why would DPC make a recommendation so inconsistent with the thinking of many states, departments, and national organizations?

Earlier, the researchers pointed to several methodological flaws, media blitzes, and inappropriate benchmarks. The DPC were well aware of these shortcomings and the need to bring in research experts if such a traffic data collection plan was to be developed and implemented. The DPC expressed concern about the expense and the membership was not convinced that the methodology would be sound, or that the data would be collected or analyzed properly. Also, it must be noted that the federal government has not passed The

Traffic Stop Statistics Study Act of 2000, nor have the majority of states seen the wisdom in passing state laws to require their police departments to collect such data. Further, DPC noted potential problems of officer resistance, whether the data would be collected and reviewed on an individual officer or department-wide basis, and the fact that data could be incorrectly reported by officers. For example, a small number of New Jersey State Troopers developed a system called "ghosting" in which they wrote down license plate numbers of vehicles with White drivers and used these license numbers on reports completed on Black motorists (Kocieniewski, 1999; Verniero, 1999).

Of course, the issues do not stop here. As David Kocieniewski (2002) points out in a study demanded by the Justice Department of New Jersey officials regarding the driving habits of Black and White motorists on the New Jersey Turnpike:

> ... startled officials in the state attorney general's office, who had assumed that the radar study would bolster their case that profiling was widespread. Instead, the study concluded that Blacks make up 16 percent of the drivers on the turnpike and 25 percent of the speeders in the 65 m.p.h. zones, where complaints of profiling have been most common. (p. 2)

To further complicate matters, the Department of Justice has asked the New Jersey Attorney General not to release the study results because of their concerns about the methodology used in the study. Others argue that the methodology is appropriate and the New Jersey State Troopers Association argues, "...that the study is being held to an unduly high standard because its findings weaken the Justice Department's contention that racial profiling is pervasive on the turnpike." (Kocieniewski, 2002, p. 3)

On the other hand, civil rights advocates and lawyers correctly argue that regardless of the New Jersey Turnpike study results they, "...cannot obscure the state's acknowledgement that racial profiling was an accepted tactic in the department for years." (Kocieniewski, 2002, p. 4). Hence, we have reached a core problem with data collection regarding the issue of bias-based policing. Specifically, regardless of the outcome, concerns about the methodology will always be put into question especially by those in disagreement with the

results. Also, despite the results of the data collection effort, there is always the possibility that bias-based policing was or was not a reason for disparity, should disparity be discovered, between police actions and racial or other applicable characteristic distributions. Simply stated, variations in the data do not necessarily indicate bias-based policing is present, nor can it be automatically assumed that no variations in the data collected by the police on contacts with the public necessarily mean that no bias-based policing is occurring. The justices in *United States v. Weaver* (1992) were correct when they stated:

> ...facts are not to be ignored simply because they may be unpleasant—and the unpleasant fact in this case is that Hicks had knowledge, based upon his own experience and upon the intelligence reports he had received from the Los Angeles authorities, that young male members of Black Los Angeles gangs were flooding the Kansas City area with cocaine. To that extent, then, race, when coupled with the other factors Hicks relied upon, was a factor in the decision to approach and ultimately detain Weaver. We wish it were otherwise, but we take the facts as they are presented to us, not as we would like them to be. (p. 3)

The trick, however, is assuring that the "facts" are, in actuality, reliable "facts" and that they are properly incorporated in the decision-making process. Our prejudices and biases, regardless of our perceived rightness in our cause or position, allow us to reinvent, ignore, and/or discard that which is in contradiction to our perceptions and desires. In fact, there was dissent among the justices in the Weaver case (1992, p. 5), "Use of race as a factor simply reinforces the kind of stereotyping that lies behind drug-courier profiles. When public officials begin to regard large groups of citizens as presumptively criminal, this country is in a perilous situation indeed." However, the dissenting justice does not stop here, but also points out that:

> It would be interesting to know how many innocent people have been stopped, either for questioning alone, or for search of their luggage. This information, which we never seem to get in these cases, would go far towards enabling

> us to say whether the kind of police tactic we have before us is reasonable, which is, after all, the controlling criterion in applying the Fourth Amendment.[4]

This brings us back yet again to putting recommendations for improving the present situation together in such a way that, in combination, they help us to achieve our ultimate objective. We must resist the temptation of relying on a single indicator and/or unproven techniques or processes to take us to the desired end. We cannot allow such disparity in opinions, however, to result in malaise and inaction. We must continue to aggressively research the issues and find methods to help us avoid civil rights violations by the police despite the inherent inaccuracies in social science. We will make mistakes, but we will also learn from our mistakes, and further improve upon our methods of social control in American society.

While the DPC made recommendations on how the data might be collected in the future should the department determine that it was needed, or if the department were forced to collect such information, they noted the expense that would be associated with the technological changes that would be needed. Who is correct? Is data collection the answer? Is it truly needed? At the very least, it is obvious that opposing opinions exist and some have even called for a moratorium on collecting race-coded crime statistics (Knepper, 1996); however, we will defer answering these questions at length until later in the report. An alternative that holds great promise and has already been incorporated into the management of several police agencies in Virginia is a police early warning system (Walker, 2001).

The DPC's reasons for not immediately recommending data collection is seen by some as nothing more than a series of excuses; to others it seems reasonable, while still others see the situation as an opportunity to find ways to improve policing. As one citizen in a focus group meeting clearly stated, "You can pay now or you can pay later. But, if we can start a program to put a man on Mars, don't talk to me about cost." The point is, we need to

[4] In U.S. v. Hooper (1991, p. 17) it is noted that, "During the suppression hearing, agents Gerace and Allman testified that they spend their days approaching potential drug suspects at the Greater Buffalo International Airport. According to their own testimony, they detained 600 suspects in 1989, yet their hunches that year resulted in only ten arrests. It appears that they have sacrificed the Fourth Amendment by detaining 590 innocent people in order to arrest ten who are not—all in the name of the "war on drugs". When, pray tell, will it end? Where are we going?"

provide sufficient and appropriate resources for this important social issue to ensure that it is addressed properly.

If departments do not do this voluntarily, the courts will certainly force them to comply should a negotiated settlement (i.e., a consent decree) of agreed upon reforms be entered into, or should the department be found in violation of civil rights laws by the courts. Once a department finds itself in the position of having to comply with a consent decree or court finding, they have just opened up their jurisdiction's checkbook of blank checks. The courts will neither be sympathetic to the costs or inconvenience that compliance will cause the department or respective jurisdiction. And, we can assure you the costs of both will be very high. It is much less painful and much wiser for departments to be proactive, maintain control of the process, and address the issues of bias-based policing directly, candidly, and honestly. Sticking one's head in the sand and saying we do not have a problem is an unwise choice. In truth, every department has a problem and that problem will never be completely resolved. Each department must establish safeguards to monitor and ensure that the department is doing all it can to continuously protect the rights of those their agency serves.

## *TRAINING ACROSS THE CURRICULUM*

The DPC's recommendation to incorporate diversity training and discriminatory profiling training into all aspects of academy and in-service training is an important consideration. A serious training problem is that trainers often fail to integrate various training lessons throughout the training process. Trainers teach and instructional developers develop "blocks" of instruction entitled "traffic," "firearms," "search and seizure," "racial profiling," "cultural diversity," "vehicle stops," and so forth. The problem arises when trainers do not integrate the lessons from one block of instruction to other blocks of instruction. For example, it is not adequate training to teach cultural diversity and racial profiling as separate instructional units unassociated with the policing tasks included in other training modules. Trainers need to teach cultural diversity and racial profiling within each "block" of instruction associated with this issue. By doing this, the student can better transfer learning from one police task to another. This is of particular importance to new trainees in the academy. If instructors do

not help the student officer make these psychological and practical connections between tasks, these connections are often not made by the trainee. A disconnect between training and practice occurs. Hence, training effectiveness is greatly limited. Training must be designed to integrate and standardize learning across the entire training spectrum.

## *SUMMARY*

The Virginia approach, as described here, shows that at least some Virginia police departments have a sensitivity to the issue, they have utilized committees to research and make recommendations to improve upon their present efforts, and they have incorporated the community in arriving at their conclusions. Their sheriffs association and their chiefs association have worked to see that officers are better trained and that their departments do not support bias-based policing. The Governor and his Commission have made recommendations, the Legislature has taken action to ensure fair and equitable treatment, and DCJS has developed training curriculum and model policy that was included in its *Sample Directives for Virginia Law Enforcement Agencies* manual discouraging bias-based policing. Under the auspices of community-based policing and community problem solving, DCJS has also incorporated the community in the continuous process of resolution. It has emphasized the importance of first-line supervision and their commitment to respecting the rights of citizens in controlling bias-based policing. In addition, DCJS is well aware of the role of training, recruitment and selection, and an organizational culture that supports values consistent with such principles as respect, honesty, openness, and diversity. The question remains, however, what else needs to be done?

# CHAPTER III: METHODOLOGY

## RESEARCH METHODS

### *THE COMMONWEALTH OF VIRGINIA*

Within the Commonwealth there is an estimated population of 7,293,542. The population consists of White 72.3%, Black 19.6%, and Other 8.1%. Virginia is one of four states including Kentucky, Massachusetts, and Pennsylvania that is referred to as a Commonwealth, defined as a nation or state governed by the people. The Commonwealth of Virginia was home to the first permanent English settlement in North America, Jamestown, in 1607 and had more Civil War battles fought on its land that any other state. Virginia is also the birthplace of eight United States presidents including George Washington, Thomas Jefferson, and James Madison. The Commonwealth's major industries are manufacturing and agriculture and Virginia ranks in the top ten of states producing coal, tomatoes, tobacco, sweet potatoes, and peanuts.

### *SITE SELECTION AND PREPARATION*

CGOV was notified in September 2003 that it was the recipient of the grant award. The researchers identified seven communities in the Commonwealth in which to conduct focus groups. Focus groups were held January 12-23, 2004. The researchers spent one to two days in each location conducting focus groups with citizens and police officers. These areas were selected due to their geographic location in the Commonwealth, population base, police department size, and the existence of large minority populations. The researchers wanted metropolitan areas and more rural areas represented in the study. Unfortunately, there was insufficient funding to select smaller towns and highly rural counties to conduct the focus groups. This is a limitation of the study; however, it relates only to the focus group meetings with the police and the citizens of Virginia. This limitation must be considered when making assumptions regarding the applicability of the findings.

DCJS staff arranged for a meeting with the chiefs, or their representatives, from each

department/city identified as a focus group site. It was important for DCJS and the researchers to have the support and cooperation of each department selected if the focus groups were to be successful and if the officer surveys were to be distributed throughout these departments. Two meetings were held on November 3, 2003, at a selected city police academy due to its centralized geographic location. One meeting was held in the morning and another in the afternoon for those unable to attend a morning meeting. Both DCJS staff and researchers attended the meeting to explain how the project came about, why their departments were selected, and what the research project was designed to do for the Commonwealth. Further, while explaining the various aspects of the study, the researchers elicited ideas from the department representatives on possible methods for ensuring sufficient citizen participation and police input into the project.

Many of the ideas suggested by department representatives were incorporated into the research design. Major points that were discussed and agreed to include: (1) the anonymity of departments and respondents would be maintained; (2) the officer surveys would be sent by the researchers to the participating departments for distribution, collection, and return of the completed officer surveys. The decision to distribute officer surveys in this manner was as much a matter of practicality as it was a financial consideration. It would be impossible to obtain home addresses for police officers; hence, they would have to be sent to the department for distribution under any circumstance. It was recommended by the police department representatives at the meeting to allow them to distribute the surveys. If the department distributed the surveys at roll call meetings, they could give the officers time to complete the form, collect the completed surveys, and simply return them to the researchers. Specific instructions were sent with each batch of surveys to the respective Chief's office to maintain the integrity in this phase of the data collection process; and (3) there would be no official police presence in the citizen focus group meetings, and no information given by citizens involved in this project would be attributed to an individual or a specific city.

Following the meeting, the chiefs and/or their representatives returned to their communities to discuss this project with their Mayors and/or others in their communities before making a final decision. Each agency that was

asked to participate agreed to participate, with the exception of a university police department that believed the study's purpose would not be met if they participated.

Agreeing to such a project is an important decision from both a practical and political perspective. Police executives and politicians are well aware of the problems associated with bias-based policing. Having researchers come into their communities addressing this issue has the potential of encouraging embarrassing media accounts and a myriad of difficult questions. The cities and police agencies agreeing to such a study must be praised for being forthright, accepting the inevitable criticisms, and for having the courage to be proactive in their efforts. Their acceptance of this challenge demonstrates an openness that, in the past, was the exception among police agencies, but is increasingly becoming the norm. This is a positive sign indicating that the police are learning that openness with the community better supports their mission to the public. It is also likely that the enhanced openness of police departments is due to their efforts to incorporate a community-based and problem-oriented policing philosophy into their agencies.

## *RESEARCH DESIGN*

Triangulation, a mixed-method research design, was adopted as this study's research design to overcome the shortcomings of a single research methodology. In this study, researchers visited and observed Virginia police departments and communities, and administered officer and citizen questionnaires in an effort to better understand participant perceptions toward issues concerning bias-based policing. The analysts also interviewed police officers and citizens in the same communities that were visited. The interaction, interviews, and observation of the research sites provided detailed information, uncovered perceptions, and presented opportunities that would have been unavailable had survey research been the sole method of data collection. In fact, the time spent within Virginia communities provided researchers with a Virginia context in which to evaluate responses provided on the officer and citizen questionnaires. The researchers' experiences in the research site provided invaluable insight into the attitudes, feelings, and perceptions of Virginia residents. Without this intuitive understanding of the Virginia experience, it would have been difficult, if not impossible, for the researchers to have provided an adequate

analysis of the data collected. While observation research has its detractors, it is a robust research technique when utilized by highly skilled ethnographers. Observation research is of particular value when used in combination with other methods, as was the case in this effort.

This study was designed to review police bias; hence, the researchers purposely excluded other elements of the criminal justice system such as the prosecutor's office, the judicial branch, and corrections (see for example Cole, 1999). In the original design, little emphasis was placed on the broader issue of racial bias as it relates to the history of discrimination and bigotry in American society as a whole. Although this research effort was largely directed at racial bias, it was not, as indicated previously, solely limited to the racial issue. The analysts were also concerned about enforcement biases by the police based upon the citizen's sex, race, ethnicity, gender, sexual orientation, economic status, religious beliefs, or age. While this research effort was not designed to study the criminal justice system as a whole, nor the historical elements of this American problem, these issues cannot be completely ignored *in toto* when addressing police bias.

## CITIZEN FOCUS GROUPS

At each of the seven focus group sites, the chief of police was asked by the research staff to invite community leaders to a citizens' focus group meeting that would be held at 6:30 p.m. at a specified location in their community. The location for the meetings was arranged by a DCJS representative. The focus group meetings were held in public buildings, usually a public school gym or library. While it was believed that bias-based policing would be of sufficient concern to citizens, the researchers were unable to anticipate what the citizen turnout would be in any given location. Therefore, in an effort to ensure citizen participation, the researchers wanted to be certain that, at a minimum, community leaders would be invited. Representatives, who were invited, were from minority groups such as the NAACP, citizen police academy graduates, known community leaders, and ministers. Everyone was welcomed and those attending this meeting were encouraged to participate in a second meeting, at 8:00 p.m., if they so desired.

The second meeting was held in each location immediately following the 6:30 p.m. meeting. Any citizen in the community who wanted to attend this meeting was welcome to do so. A

staff member of DCJS contacted the area television stations, newspapers, radio stations, and other media and requested them to run a public service announcement. While many news media complied with the request, others ignored the appeal. In total, the researchers had in excess of 230 people attend the citizens' focus groups throughout the Commonwealth. An exact number was not obtained since individuals often came in after the sessions began and were not included in the final count. The majority of participants were Black; however, White, Latino, and Asians were also represented. The citizens' focus groups were held to not only obtain information on the issues facing Virginia regarding bias-based policing, but to also help the researchers refine the questionnaires being developed as survey instruments for the police and citizens of Virginia.

The open meetings included young and old professionals, as well as retirees. At least one of the participants had walked with Dr. Martin Luther King Jr. during the civil rights marches in Virginia. Some had a long history in the civil rights movement, gay movement, and/or immigration services to name a few. The participants were politically astute, informed, and concerned citizens. All were interested in equality, wanted change in their communities for the better, and were often active in community affairs.

It should be noted that the police chiefs or their representatives asked the researchers to inform the public that they would not attend the citizen focus group meetings. The police did not want any "official" presence at these citizen meetings. Command staff wanted the citizens to feel free to share whatever information they wished with the researchers without concern for police presence.

The citizen focus group meetings were facilitated by one of the two researchers assigned to this segment of the project. The meetings were informal and designed to provide the maximum freedom for participants to address any issues they felt were important for the researchers to be aware. The atmosphere of the meetings varied from controlled anger and frustration to a more open collegial interchange of the issues and perceptions felt by the various members of the focus groups. In some cases, family members of individuals who had died at the hands of the police were among the participants, while others had very positive experiences with the police.

Some citizen focus group meetings allowed for the analysts to ask very direct questions while others were more conducive to the researchers listening and providing little comment. Aside from the original purpose of the focus group meetings for the analysts, each meeting served another important role. Without exception, at the conclusion of each focus group, members of the audience would comment upon how constructive the meeting had been and that they wanted additional meetings to occur in the future. At one meeting, the participants demanded additional meetings and requested that DCJS either bring the research group back to serve as facilitators in further discussions or bring someone else to their community to serve in this role. The opinion strongly held by this specific group was that additional meetings of this type, with the proper citizen representation and police participation, would lead to enhanced communications and positive results.

On several occasions participants politely, though pointedly, asked why there were no minorities present among the research staff at the citizens' focus group meetings. The researchers are both White males, and the DCJS representative attending the focus groups is a White female. Another common question pertained to the method used to advertise the focus groups. This question was posed because those participants present had the following concerns: (1) more people would have come had they know about the focus group; and (2) many present were there because someone they knew found out about the focus group and called them and asked them to come. It was frequently asked how the site for the citizens' focus group meetings was selected. The implication was that the location was not in a minority neighborhood. Finally, participants frequently wanted to know what was going to happen following the focus groups to address the issues they had presented.

In response to the participants' concerns, the researchers reported that there were minorities working on the research project; however, they were not present during the focus group meetings. It was communicated that every effort was made to contact all the news media outlets that could be found by DCJS personnel in their area. The group was informed that the sites were chosen by a DCJS staff member who was not familiar with the neighborhoods, but tried to find a facility that would accommodate our needs and was as centrally located as could be determined. Finally, at the beginning of each focus group, participants were given a synopsis of the research project and the

purpose of the effort. However, many wanted to know what we were going to do to help within their communities specifically. The researchers and DCJS staff could only inform the participants that the scope of the project was to identify problems and work to improve DCJS policies and training requirements for police agencies.

It did not become clear until after several discussion group meetings with citizens how important the previously asked questions were and the frustration that they represented. While this will become increasingly obvious later in the report, it is important to note here that the level of frustration for many minorities present at these focus groups was high and deep feelings of desperation were shared.

## CITIZEN QUESTIONNAIRE

### *SURVEY INSTRUMENT*

The Virginia Police Public Contact Survey instrument to assess citizen perceptions was developed by CGOV for the present study. CGOV modified items from a survey used by the Bureau of Justice Statistics (BJS) in a 1999 national study of contacts between the police and the public. Using the items from this study as a foundation, CGOV research staff altered the survey items and added additional items to better represent the issues discovered by the research staff through the citizen focus group meetings.

The final version of the survey was the result of a lengthy literature review, a number of information gathering sessions with citizens and officers in Virginia, and a series of meetings between CGOV research staff. The staff reviewed questions proposed by the senior analysts, provided text for new questions, and assisted in rejecting questions that did not directly address issues relevant to this project. After drafting the citizen questionnaire it was also sent to DCJS for their review and input. See Appendix A for the Virginia Police Public Contact Survey.

An additional advantage of having research staff members involved in the questionnaire development stage was that it ensured that everyone was familiar with the questions and their purpose. Since the research staff also served as the phone interviewers, little additional training was needed prior to the piloting of the instrument and interviewing process.

## *SURVEY PILOTING*

The survey instrument was piloted on 30 individuals residing in the southeastern United States. These individuals were selected to ensure that different ages, genders, and races were represented. Given the potential complexity of this survey (i.e., the survey contained seven screens of questions that an individual could be asked depending on his or her interactions with the police), we instructed those participants in the pilot test to use a great degree of latitude in their responses so that our researchers would be prompted to negotiate through each of the screens. Consequently, researchers gained experience negotiating through the screens and obtained familiarity with all of the survey questions. Following each piloted survey, participants were asked to provide feedback concerning the relevancy of the questions and the length of the survey. Participants were also asked to identify any awkwardness or lack of clarity with the wording of the questions. Moreover, participants were instructed to report any perceived bias present in the questions. The survey was piloted in the presence of all researchers via speakerphone in order to allow researchers to benefit from the comments and process the feedback. Following the pilot test, changes were made and the survey was prepared for telephone administration.

## *SURVEY ADMINISTRATION*

Using the Virginia Police Public Contact Survey instrument, CGOV conducted a telephone survey of citizens of Virginia to assess perceptions of the police, the occurrence of bias-based policing, and interactions with police officers. The survey was conducted from the offices of CGOV in Montgomery, Alabama. Telephoning occurred Monday through Friday, during the hours of 9:00 a.m. to 8:00 p.m. EST. The callers viewed the survey instrument electronically, read aloud each survey item and corresponding response option and entered the selected citizen response. The citizen questionnaire was piloted from March 8 through April 2, 2004. The survey was conducted via telephone beginning on April 5, 2004 and ending on May 4, 2004.

Time for completion of the survey ranged from 5 to 15 minutes depending upon respondent answers to certain questions. Specifically, based on the amount and type of contact an individual had with the police, the more questions he/she was asked, resulting in a longer telephone interview. If the respondent

refused to answer the survey, or no one answered the phone when called, the interviewer was instructed to go to the next phone number on his/her list. If a respondent discontinued the interview at any point, the interviewer was instructed to thank the respondent and proceed to the next telephone number.

## *PARTICIPANTS*

In order to conduct the telephone survey, CGOV obtained a random sample of phone numbers of citizens throughout the Commonwealth of Virginia. A random sample of 20,000 telephone numbers was purchased from Marc Publishing Company and Information Services, a Pennsylvania-based firm that has provided all types of telemarketing, mailing list, and reference services since 1963. From this sample of 20,000 numbers, CGOV initially selected a stratified random sample of 10,000 telephone numbers for the telephone survey. A stratified random sample was preferable to a completely random sample because it ensured that the number of telephone numbers from particular regions of Virginia were proportionate to the population data and that respondents with identified characteristics would be represented in the study.

A total of 680 citizens completed the telephone survey out of approximately 11,000 phone calls. After data errors were removed, the total sample consisted of 659 respondents. The sample was 65% female, 35% male, 21% Black and 79% White. Due to the small number of respondents indicating race as "Other" comparisons were conducted on White and Black respondents only.

In an effort to make the sample more representative of the population of Virginia, the sample was reduced to 386 respondents of which 52% were female, 48% were male, 74% were White and 26% Black. This was accomplished by randomly deleting complete data sets from within each demographic category until the sample more closely resembled the population distribution of Virginia. The final sample of 386 cases yielded an error rate of 5%.

Respondents to the questionnaire included those who claimed to have had no contact with the police. Because of their non-involvement in one of the seven incidents concerning the police that was included in the citizen

questionnaire (e.g., traffic stop, service calls, crime reporting, etc.), these citizens were routed directly to the General Issues section of the survey. This section required no interaction with the police and asked respondents to answer only general questions concerning the police. This, in part, explains the small number of respondents in specific cells, reporting to have had experiences with the police in one of the seven incidents presented in the survey.

A major problem confronted by the telephone interviewers was no one answering the telephone. Among those who did answer the phone, there were many who simply opted not to participate in the survey. Although, interviewers explained the study and its importance to prospective respondents, they were not interested in voicing their opinions. Moreover, several citizens, who refused to participate in the research project, reported to the interviewers that they wanted the information to be collected, but were unwilling to assist in this effort for a plethora of reasons. This reluctance was consistent throughout the various race and age groups.

Researchers estimate that 80% of all citizens who refused to participate, simply hung up the phone at some point during the survey or said no, at the onset, without any additional elaboration about the reason for the refusal. Out of the remaining 20%, White respondents frequently indicated that, "they did not have the time," "they had no problems with the police," "they did not know much," "they have never needed the police," "they had no perceptions," "they were not interested," and "they needed to investigate the validity of the researchers." Black respondents often indicated that, "the police did not bother them, therefore, they did not want to bother the police," "they needed to check with their attorney," "they did not feel comfortable talking about the police," "the police did alright," "they believed a survey would do nothing to help their 'situation'," "their perceptions were too jaded to participate in the survey," and "they did not feel comfortable." The Other respondents indicated that, "they did not speak English," "they were working as a domestic and did not want to use their employer's telephone," and "they did not want to get involved."

## OFFICER FOCUS GROUPS

Officer focus group meetings were held in the morning, afternoon, and late evening hours, as needed. The focus groups were divided into

senior command staff, including the chief down to lieutenants. Line officers and sergeants were most commonly interviewed together. While this classification structure had exceptions, this format was generally followed. Generally speaking, members of the department were assigned to the focus groups, but there were also volunteers among the membership. In excess of 200 command and line officers attended the focus group meetings. The officer focus groups included both sexes and were representative of the department's racial makeup. The officer focus groups included Asian, Black, White, and Latino officers. Various other races and nationalities were also represented. The exact makeup is unknown since the researchers did not request such information.

In some agencies, arrangements were made for the researchers to interview civilian employees. There were a total of 16 civilian employees who participated in the civilian employee focus group meetings. The racial makeup of the civilian focus groups appeared inclusive of Blacks and Whites. Further, when possible, research staff spent time interviewing officers during ride-alongs, observing contacts with citizens, and learning about the neighborhoods of the various communities in the area.

Each focus group meeting with officers had its distinct flavor; however, as with the citizen focus groups, they were dynamic, open, and honest efforts. Officers presented their perceptions of the issues surrounding bias-based policing freely. The issue of bias-based policing is a common topic among the ranks of the police due to the training they receive and their familiarity with the news coverage of such events. Certainly, not all officers participated in the discussions with equal vigor. In fact, on occasion, especially in larger groups where there were command personnel and street officers, some remained silent. In addition, several departments ensured that officers from various divisions, including detectives, were present at the focus group meetings.

Similar to the citizen focus groups, the officer focus groups were used by the analysts to better understand the issues faced by police officers with reference to bias-based policing. It should be noted that it is just as important to understand officer perceptions of the issue as it is the perceptions of the citizens they serve. The gap, should there be one, between the perceptions of the two groups will produce fertile ground for the development of relevant recommendations and for the identification of additional areas in need of study.

The researchers wanted to have face-to-face interviews with Virginia police officers to assist them in identifying those issues important to the police, and to obtain officer perceptions of the issue in general. These interviews aided the analysts in understanding how departments have responded to the problem of bias-based policing and how successful they believe their attempts in this area have been. Such an effort further helps to illustrate the frustrations, avoidance mechanisms, street level problems, and administrative nightmares that the police must address to overcome problems and perceptions of both police officers and the citizens they serve. Also, these interviews were instrumental in the development of the officer survey that was to be developed by the research staff and distributed later in the study.

## OFFICER QUESTIONNAIRE

### *SURVEY DEVELOPMENT*

The Officer Questionnaire survey instrument was developed by CGOV researchers based upon the comments and recommendations provided by the citizen and officer focus groups. Efforts were made to ensure that questions on the police and citizen questionnaires were compatible in many instances to ensure that comparisons on specific topics of interest could be made. Similar to the citizen questionnaire, research staff worked on the officer survey in group meetings. As a group, the researchers evaluated questions, made recommendations, determined the sequencing of questions, and provided questions to be included in the survey. In addition, prior to piloting the Officer Questionnaire, DCJS staff reviewed the questions and provided the research staff with their comments and recommendations.

The Officer Questionnaire included instructions on completing the survey and general information regarding the project as a whole. Forty-five questions were included in the Officer Questionnaire. The questionnaire was a one-page, two-sided, paper and pencil survey and can be found in Appendices B and C. Once returned by the departments, the survey responses were transferred into an electronic database by trained research staff. Following the data input stage, the entire database was checked by teams of two analysts, one reading the original officer survey responses and the other checking the data entered into the electronic database to ensure accuracy.

## *SURVEY PILOTING*

The survey instrument was piloted on 50 officers and command staff in the Montgomery Police Department (Alabama) on February 20, 2004. The completed surveys were reviewed by the research staff in a meeting with a number of officers and command personnel on February 26, 2004. This meeting was held so that the researchers could discuss issues of survey content, question presentation, difficulties in completing the survey, survey instructions, method of distribution and collection of completed surveys, and various other survey process issues. Following the pilot test, changes were made and the survey was prepared for mailing to Virginia police departments.

## *SURVEY DISTRIBUTION TO URBAN DEPARTMENTS*

A sufficient number of surveys were sent to each participating department to ensure that each sworn officer in the agency could receive a survey. The departments originally included in the survey were the same departments that were visited by the researchers. The surveys were sent in batches to the respective chief's office for distribution to all sworn officers in their department. A letter to the chief explaining such issues as how the surveys should be handled to ensure confidentiality and when, and how they were to be returned to CGOV was included in the survey packet. See Appendix D for the letter sent to the urban department chiefs.

The surveys were distributed by department personnel and completed during briefings at shift changes and in departmental offices. The research staff sent the surveys to the original seven urban departments on March 3, 2004, with a return date of no later than March 17, 2004. There were no identification requirements on the survey that would indicate individual respondents. An envelope was provided to each officer with the survey. Officers were requested to place their completed survey in the envelope, then seal and return the envelope as requested by the department. The surveys were collected by department personnel and returned to the researchers for collation and analysis. Respondent officers were also given the option of direct mailing their completed questionnaire to CGOV if they so chose. A unique three-digit number was placed at the bottom of each officer questionnaire so that the researchers could identify the county in which the department was located. There were a total of

3,437 officers in the seven departments. Officers in the various departments were both encouraged and angered by the presence of the researchers and the structure of the officer questionnaire. General negative feelings expressed by written comments from officers included: "Stop By The Real World Some Day! - IDIOTS", "This survey is biased! Are you a Democrat?", "This is insulting. You assume that there is a problem. By your standards and the media, every encounter by a White officer with another race is biased/racial." Many officers, while suspicious of the study, the researchers, and how the results would be used, were still willing to assist.[5] Officers clearly understood their role in society and the vast majority of officers are very concerned that they and other police officers abide by the ethical standards of the police profession. In fact, as mentioned previously, many are offended by the accusation that they practice bias-based policing either by implication or direct condemnation.

## *URBAN POLICE DEPARTMENT SAMPLE*

This segment of the study included seven urban departments, to which 3,437 surveys were sent. A total of 1,265 surveys were received from these departments, representing a 37% response rate. Respondents to the survey from the urban departments were 87.8% male and 12.2% female. Moreover, 83.2% reported their race as White, 11.6% reported their race as Black, and 5.2% reported their race into a category that included American Indian, Aleut, Eskimo, Asian Pacific

[5] As one officer clearly stated:

> This survey is based on the premise that there is a problem or could be a problem with bias-based policing. Every study I've read about this, or account of this occurring has always failed to see if there was actual reason for the interaction.
>
> If a traffic stop is made on a person other than a Caucasian for a minor traffic violation, (i.e., headlight out, fail to signal, etc...) then the stop is not "bias-based", it's a valid traffic stop with probable cause. A bias-based interaction would be some kind of custodial stop of a person with no probable cause or reasonable suspicion, but based solely on that persons trait's the officer doesn't like. Better and more accuracy in your questions would make this a far better study.
>
> The last question I pose to you is this: If you are a White officer working in a predominately black or minority neighbor hood (sic) and 80-90% of your interaction is with that minority, is that bias-based policing? We have car districts where the citizens living there are all minority, you would expect officers to have a high interaction with minority.

Islander, and Other. Survey respondents included Senior-Level Management (i.e., Chief, Deputy Chief, Major, and Captain), Mid-Level Management (i.e., Lieutenant and Sergeant), and Officers (i.e., Corporal and Officer) who held current assignments in the following areas: administration, investigations/detective, patrol, patrol support, training, planning and research, crime analysis, and crime prevention.

## *RURAL POLICE DEPARTMENT PARTICIPATION*

The inclusion of rural police departments to respond to the officer questionnaire was discussed by DCJS staff and CGOV researchers during the focus group process. It became clear during our focus group meetings that experiences between urban and rural population bases could be quite different. The researchers included rural departments in the original design in an attempt to have some representation from these departments in the Virginia project. This proved very successful for a variety of reasons. In fact, it was this experience that brought about additional discussions concerning our original stratified sample police population. This experience encouraged the researchers to add additional departments to the sample receiving the officer survey.

As noted previously, the original study was designed to use only the seven focus group departments for the officer survey. Interestingly, little effort has been made by researchers to study rural departments. In truth, we know little about the experiences of rural departments with regard to policing issues including bias-based policing. Even a quick glance at the literature of bias-based policing will demonstrate that the research completed on this topic and mandated consent decrees, are generally dealing with larger departments.

DCJS is responsible for developing training curriculum, policy recommendations, and statewide accreditation standards for all police departments in the Commonwealth. Any insensitivity to this fact in the research design could translate into unrepresentative actions on the part of DCJS. Consequently, the researchers and DCJS staff determined that if Virginia was to obtain a more realistic view of the bias-based policing issue in the Commonwealth, then additional smaller rural departments would have to be represented in the officer survey. Rural departments within

each of the four zones were randomly selected for the purposes of this study.

While it was financially impractical to conduct focus group meetings in a number of rural areas, it was not unfeasible to enhance the sample base for the officer survey to include rural police departments. The study had originally been designed to include a random sample of residents throughout the Commonwealth; hence, it would be quite compatible for the project to include police agencies throughout the Commonwealth as well. Gaining access to rural police departments, printing, mailing, and analyzing additional questionnaires would incur minimal additional costs and have the potential to provide valuable findings for the Commonwealth.

Once the representative stratified sample of rural departments was determined, a member of the DCJS staff contacted the chief/sheriff of each department selected to explain the project and to elicit cooperation in the research effort. Each department that was contacted agreed to participate in the project. The process for distributing the officer survey to the rural departments was the same as that described previously for the urban police agencies. The only difference was that those departments included, in this second segment of the officer survey, were not asked to distribute the survey to all officers in their agency. The chiefs/sheriffs were asked to distribute a specific number of officer surveys to officers in their department. The chiefs/sheriffs instructions were to ensure, that female, Black, and other minority officers in their department were given the opportunity to respond to the survey. See Appendix E for the letter sent to the rural department chiefs/sheriffs. Although the survey was voluntary, the researchers wanted responses from a representative group of officers.

## *RURAL POLICE DEPARTMENT SAMPLE*

The rural agencies represented a stratified random sample, which was selected to ensure that the racial mixture of the Commonwealth's population would be accurately represented. Population data from the 2002 Census Bureau were used to categorize the counties of the Commonwealth into four zones according to the percentage of White and Black residents. The four zones are as follows: 1) the population of counties identified as being in Zone 1 contained 90.0 - 99.3% of White

residents; 2) the population of counties identified as being in Zone 2 contained 50.6 - 79.0% of Black residents; 3) the population of counties identified as being in Zone 3 contained 30.9 - 44.7% of Black residents; and 4) the population of counties identified as being in Zone 4 contained 17.8 - 29.7% of Black residents. See Appendix F for an illustrative map of the zones. It should be noted that this schema or geographical statewide distribution was also incorporated in the selection of citizen phone numbers to be used in the citizen phone survey.

Once the four zones had been established, researchers examined the distribution of police in each department located in each of the zones. To ensure that at least an overall total of 1,000 urban and rural police officer surveys were returned for data analysis, the researchers took into account the police enforcement population in each of the zones and selected a random sample of departments for survey distribution. This resulted in 44 rural departments receiving the police survey. A total of 773 surveys were sent to officers in these 44 rural departments resulting in a 42% officer response rate. A total of 328 surveys were returned from 24 rural departments, resulting in a 55% response rate from the rural departments.

Respondents to the rurally distributed survey were 82.5% male and 17.5% female. Moreover, 87.5% reported their race as White, 10.9% reported their race as Black, and 1.5% reported their race into a category that included American Indian, Aleut, Eskimo, Asian Pacific Islander, and Other. Survey respondents included Senior-Level Management (i.e., Chief, Deputy Chief, Major, and Captain), Mid-Level Management (i.e., Lieutenant and Sergeant), and Officers (i.e., Corporal and Officer) who held current assignments in the following areas: administration, investigations/detective, patrol, patrol support, training, crime analysis, and crime prevention.

There were a total of 4,210 officers in both urban and rural departments within the Commonwealth who received the Officer Questionnaire. A total of 1,554 surveys were returned and used in the data analyses described below. The total number of survey respondents were comprised of 86.7% male and 13.3% female. Moreover, 84.1% reported their race as White, 11.5% reported their race as Black, and 4.5% reported their race into a

category that included American Indian, Aleut, Eskimo, Asian Pacific Islander, and Other. Survey respondents included Senior-Level Management (i.e., Chief, Deputy Chief, Major, and Captain), Mid-Level Management (i.e., Lieutenant and Sergeant), and Officers (i.e., Corporal and Officer) who held current assignments in the following areas: administration, investigations/detective, patrol, patrol support, training, planning and research, crime analysis, and crime prevention.

## *PROJECT REVIEW*

On July 2, 2004, an electronic draft of the report was provided to DCJS for their review and comments. DCJS staff sent a copy of this draft to each of the seven urban and 44 rural departments that were asked to participate in the study. In addition, department heads of those departments were invited to a post-project review meeting. These meetings were held on July 21-22, 2004, at a Virginia police academy. The meeting on July 21st was with the representatives of the urban departments. The meeting on the 22nd was conducted with representatives of the rural departments involved in the project. The senior researchers provided a power point presentation of the project findings and used the time allotted to discuss not only the findings, but to gain additional input from the participant department representatives. Following these meetings, the researchers conducted a final review of the report. The researchers included select suggestions and recommendations provided by the department representatives and DCJS staff, which were considered both relevant and helpful in understanding the issue of bias-based policing in Virginia. The final report was provided to DCJS in August 2004.

# CHAPTER IV: PROJECT FINDINGS

This chapter discusses the data analysis findings for both the Citizen and Officer Questionnaires. Within each of the two broad sections addressing the Citizen and the Officer Questionnaires, sub-sections were created for the ease of the reader.

## STUDY FINDINGS: CITIZEN QUESTIONNAIRE

The survey was conducted in a standardized and orderly fashion by trained researchers at the Center for Government. The callers used an on-screen survey program, which was developed by Center staff (see Appendix A). Before answering any survey items about bias-based policing, citizens were asked a series of questions concerning their experiences with the police. These questions focused on seven specific areas: general issues, service calls, crime reporting, field interviews, traffic stops, use of force, and demeanor of police officers. Responses to these questions determined which questions each citizen would be asked. For example, if a citizen indicated that he/she had never been stopped by the police, the researcher skipped the section of the survey pertaining to traffic stops. This section of the report summarizes the results of the citizen questionnaire and is organized in a way that emphasizes the initial screening of citizens and their responses to questions from each of the seven sections of the questionnaire. Responses were examined for statistical significance (i.e., significant differences between race and demographic zones) where sample sizes allowed. Chi-square tests were used in most cases and Fisher's exact tests were used when the expected frequency was too small to use the chi-square test (i.e., the expected frequency of a cell was less than 5). We considered any statistic at the $p \leq .05$ level to be significant. Where differences were significant, the *p*-value is reported. For details concerning responses by zone and race, please refer to Appendix I.

Interviewers were prompted by the on-screen program to ask certain questions or skip to other sections of the survey based on the citizen's responses. Citizen responses were recorded on-line and automatically entered

into a Microsoft® Access database. The first step was to collect demographic data including the citizen's gender, age, and race. Once this information was collected, the callers moved to the initial Contact Screening section of the survey, which served to direct respondents to additional survey questions depending upon their responses to the screening questions.

## *INITIAL SCREENING*

After collecting demographic information from citizens, callers asked citizens a series of questions concerning their contact with the Virginia police (e.g., city police, sheriff, or State police officer). Based on citizen's responses, the callers would ask the citizens a series of questions about each of these situations. All citizens contacted by the interviewers were asked general issues questions about their perceptions of the police and bias-based policing regardless of their responses to other questions. The sample consisted of 386 respondents of which 52% were female, 48% were male, 74% were White, and 26% Black.

First, citizens were asked if they had ever been stopped by the police while in a motor vehicle (not including roadblocks) to which 37.8% (n=146) responded that they had been stopped by the police while in a motor vehicle. Of those responding affirmatively, 73.3% of those who were involved in a traffic stop were White and 23.3% were Black. In other words, Whites were three times more likely than Blacks to have been stopped by the police while in a motor vehicle.

Second, citizens were asked if they had ever contacted the police to report a crime to which 14.8% (n=57) answered yes. Of those responding yes, 78.9% were White and 19.3% were Black, which indicates that Whites contacted the police to report crimes more than Blacks by a ratio of 4 to 1. The percentage of White and Black citizens reporting crimes is representative of the population of Virginia which is approximately 72% White and 20% Black.

Third, citizens were asked if they had contacted the police to ask for assistance for any reason to which 19.4% (n=75) indicated they had. Of those answering yes to this question, Whites requesting police services outnumbered Blacks by more than a 4 to 1 ratio as 80% of the respondents indicating that they had asked for assistance were White and 18.7% were Black.

Fourth, callers were asked if force had ever been used or threatened against them by a police officer and 4.7% (n=18) indicated they had encountered a situation where a police officer made a threat to use or used force against them or someone with them. Of these, 9 were White and 9 were Black. Initially, there appears to be a difference between Black and White citizens on the use of force issue when compared to their overall relative distribution within the population; however, it is important to keep in mind that only 4.7% (n= 18) of the respondents reported that force was used or even threatened against them. From the question, we cannot determine the ratio of actual use of force or the threatening of force against respondents. It is interesting to note that a 1999 study conducted for the Bureau of Justice assistance reported that, less than 1% of the population reported police use of force or threat of force against citizens (Langan, Greenfeld, Smith, Durose, and Levin, 2001).

First, our results would indicate that in the Commonwealth of Virginia, a person is almost five times more likely to have force or the threat of force used against them than the national data would indicate. However, considering our small response rate (4.7%), which constitutes a 2.35% chance for Blacks and Whites to report police use of force or the threat of force against citizens, it is very close to national averages. At the national level, Blacks (2%) and Hispanics (2%) reporting police use of force were twice as high as Whites (1%) reporting use of force. This data is comparable with national statistics regarding police use of force or threat of force against citizens.

While the survey results are somewhat similar to the national averages, the results are not generalizable to the population at large due to the small sample size. Therefore, making inferences or conclusions about all members of a group, i.e., the citizens of Virginia, or class of people in this instance is not appropriate.

Essentially, police use of force is infrequent when compared to the number of contacts that police have with citizens. Of course, the police must continue to monitor and ensure that the use of force, in any form, against citizens is used only when necessary. Also, officers should continue to be trained in techniques that will help calm situations down and reduce the need to use force to control situations.

Fifth, callers were asked if they had been stopped by the police and asked why they were in a certain location and 5.7% (n=22)

responded affirmatively. Of those responding, 63.6% were White and 31.8% were Black. This is a very interesting finding as it is contradictory to the common belief that the police are much more likely to stop Blacks for being "out of place." However, without additional data, it is difficult to make a conclusion with great confidence. Follow up questions would be needed to gain a more thorough understanding to this question.

Finally, 35% (n=135) indicated they had contact with the police either because the citizen was in an accident, the police were investigating a crime, the citizen matched a description of someone the police were looking for, or the police had a warrant for the citizen's arrest. Of the 135 responding affirmatively, 77% were White and 18.5% were Black.

The following sections discuss some of the more important findings from each of the sub-scales. It becomes obvious that the sample sizes for certain categories or groups of questions are very small. In those cases, comparisons across race and zone were not appropriate. In all other cases, where there was a sufficient response rate in various categories, such comparisons are made and discussed.

## *GENERAL ISSUES*

Citizens were asked 25 questions in the General Issues portion of the survey. Questions related to topics such as a citizen police academy, trustworthiness and responsiveness of police departments, satisfaction with police services, and the prevalence of bias-based police practices were among the general questions asked in this section. However, the results of several items are particularly interesting and will be summarized in the following paragraphs.

## *CITIZEN POLICE ACADEMIES*

The first of several questions on the survey (questions 13-15) were concerned with the practice of providing citizen police academies. About 15% of respondents indicated that their police department offered a citizen police academy with 13.1% of Whites answering affirmatively compared to 22.7% of Black respondents and this represents a statistically significant difference ($p<.017$). One of the most interesting findings in this section is that 69.1% of the citizens participating in the survey did not know if their police department provides a citizen police academy (question 13). This is interesting because most police departments feel that citizen police academies

are effective at promoting positive relations in the community. However, it is doubtful that citizen police academies can be very effective if the majority of citizens do not know they exist. It also appears that White and Black citizens are both somewhat uninformed about the existence of citizen police academies as 69.7% of Whites and 67% of Blacks did not know if one was offered by their department, which is a significant difference ($p<.017$).

Of respondents who knew their departments provided a citizen police academy, 85.7% believed that they were valuable in promoting positive relations with the community (question 15). Furthermore, 91.2% of White citizens who were aware of citizen academies felt they promoted positive relations while only 77.3% of Black citizens felt they were effective at promoting positive relations, which is a significant difference ($p<.022$). This could have implications for marketing or publicizing citizen police academies. Quite simply, the police need to make additional efforts in informing both White and Black residents of the existence of their citizen police academy and make contact information readily available. Departments might also want to increase the offering of citizen police academies to better take advantage of this community interaction forum. Further, departments should determine why Blacks are less inclined to think that citizen police academies promote positive relations.

It is encouraging that such a high percentage of Blacks and Whites feel that citizen police academies promote positive relations with the community. However, from our discussions with citizens in the citizen focus groups, it is obvious that much more needs to be done in their communities from their perspectives. Frequently, especially among Black participants, discussions regarding police relations center around the fact that nothing seems to be accomplished. There is considerable talk, but the situation does not change. To some, efforts by the police are seen as public relations exercises with little implementation.

Interestingly, the majority of citizens regardless of their race or gender supports the police and overall has a generally positive perception of our agents of social control; however, discontent on specific issues and by a certain percentage of the population persists. Hence, it is important that the police maintain close relations with the public and provide mechanisms to continually monitor citizen

concerns. By working with the public, the police can adjust to the increasing and ever changing demands placed on them by the public. While the police cannot realistically expect to keep their various constituents content about their service at all times, it is important that they have their finger on the pulse of the community and do all they can to effectively respond to the concerns of citizens. Also, through communication and monitoring, the police can uncover injustices, problems, and issues that can then be addressed and improved upon.

As this series of questions points out, it is equally important that the police continually market their programs and efforts to ensure that citizens are kept aware of what the police are doing. This might mean targeting specific audiences that are least likely to hear about police efforts and programs to encourage them to participate in community efforts to enhance police protection and responsiveness to the public. Certainly, it was clear in citizen focus group meetings that most citizens do not understand what the police are doing to assist their communities.

### DEMOGRAPHIC ZONES

Regarding citizen police academies, the vast majority of citizens in all four zones are unsure if their department provides a citizen police academy. Zone 3 had the highest percentage of unknown respondents with 80.4% and Zone 4 had the lowest with 63.8%. Black and White citizens were equally uninformed in all zones except for Zone 4. In Zone 4, 68% of Whites did not know if their department provided a citizen police academy compared to 54.3% of black citizens. Citizens from all zones felt that citizen police academies are valuable in promoting positive relations in the community with 83.3% or higher responding affirmatively in each of the zones. The small number of responses to this item makes comparison of responses across race and zone inappropriate.

## *TRUSTWORTHINESS AND RESPONSIVENESS*

Concerning whether or not citizens trust their police departments to do the right thing (question 17), 71.4% indicated that they trust the police to do the right thing. While Black and White citizens differ somewhat on this item, with 62.6% and 74.5% respectively trusting their department, it is important to note that the majority believe that their

departments are trustworthy and this difference is not statistically significant. Additionally, 89.4% of respondents reported that police officers are responsive or somewhat responsive to the needs of their community (question 18). White and Black respondents differed considerably in response to this question with 91.9% of Whites indicating that police are responsive or somewhat responsive to the needs of their community compared to 84.2% of Black respondents, which is a significant difference ($p<.015$). In both instances there is room for the police to improve; however, it is encouraging to see public perceptions of the police this high on such important items.

Over 70% of the respondents trusted their police leaving almost 30% not trusting their police. This provides the Virginia police with the opportunity to better determine what needs to be done to enhance their image with the public. Few things are more important than the police being considered ethical, fair, and honest by their citizens. If a department cannot achieve high scores on this measure, it will lead to a lack of support and further conflict between citizens and the police. Further, if a large segment of the public does not feel that the police can be trusted and/or are not responsive, the police will not have the benefit of the doubt when accusations are brought against the department. If citizens have a positive perception of their police, they will be more willing to give police a chance to explain the circumstances of the event in question. They will also be more likely to believe what the police are saying. If, on the other hand, trust in the police by citizens is lacking, no matter what the police do, citizens will simply see it as a cover-up. The police must not only be ethical and honest, but they must ensure that the public perceives them as such.

### Demographic Zones

Concerning trustworthiness and responsiveness, citizens from the four zones responded somewhat differently. Zone 4 had the highest percentage of citizens responding affirmatively with 76.3% indicating they trusted the police to do the right thing. The lowest percentage of positive responses came from citizens in Zone 3 with 57.9% indicating they trusted the police to do the right thing. The greatest disparity between White and Black respondents came in Zones 2 and 4 with Whites differing from Blacks by 12.1 and 15.9 percentage points respectively. However, it is noteworthy to mention that the differences in

perceptions of Blacks and Whites within each of the zones were not statistically significant. This seems to indicate that perceptions concerning the trustworthiness of the police might be associated with a factor other than race, such as socio-economic status.

Similarly, Zone 4 had the highest percentage (74.8%) of citizens indicating police officers were responsive to the needs of their community and Zone 3 had the lowest (69.1%). Responses by race differed considerably in all zones except for Zone 3. In Zones 1, 2, and 4, Whites felt that the police were more responsive to their needs than Blacks by 10.9 (Zone 2) to 25.6 (Zone 4) percentage points.

## *SATISFACTION WITH POLICE SERVICES*

Respondents were asked about their satisfaction with the police services provided by their police department (question 22) and 90.7% reported that they were satisfied or somewhat satisfied with the services their police departments provide. Again, Black and White citizens differed considerably on this item with 93.4% of White citizens reporting they are satisfied or somewhat satisfied with their police service compared to only 83.4% of Black citizens. This difference is statistically significant ($p<.001$) and indicates that the levels of satisfaction with police services differ significantly depending on the race of the citizen. Additionally, when asked about the amount of police presence in their neighborhood (question 23), 61% of citizens responded that no change was needed, 35.6% responded that more presence was needed, and only 3.4% responded that less presence was needed. Of those participating, 64.5% of White citizens and 51.5% of Black citizens believed no change in the amount of police presence in their neighborhood was needed.

Interesting discussions transpired between Black and White citizens during the various focus groups conducted by the research staff. The intensity of Black citizens' distrust and dissatisfaction among Blacks with the police on various levels came out clearly. Unexpectedly, Black citizens were as concerned about Black officers as they were White officers. Departments throughout the country have enhanced their recruiting and hiring practices to ensure, to one degree or another, racial diversity throughout the department. Certainly, this is less true as you ascend the ranks, overall, but significant strides have been

made. Black citizens were, on the one hand, quick to applaud the inclusion of minorities in the ranks of the police, but unexpectedly they would later make such statements as: "They do what their White masters tell them." When asked: "If it was wrong, why would Black officers do those things?" The response was: "If they didn't, they would get fired."

Such statements are disturbing on several levels, but we will address this as it directly impacts the intent of this study. To begin, one of the perceived advantages of ensuring a racial distribution among officers that represents the racial distribution of the population being policed is the assumption that the department will become more sensitive to the community. Now, we discover that this assumption might not be completely accurate as expected. In fact, officers, White and Black, admitted to the researchers that some Black officers are harder on members of their own race than are White officers. There seems to be an effort on those Black officers' part to prove themselves to their colleagues. It represents a form of overcompensation, and/or could be a reaction to a form of embarrassment they perceive toward members of their racial class that are posing a problem for the police.

An additional issue revolves around the question of professional socialization and the role it plays in determining the actions, expectations, and methods of operation exhibited by police officers. New members to any profession are socialized to accept values, attitudes, methods of operation, and various other standards unique to its membership. Not accepting these standards will generally result in ostracizing the unwilling candidate from the group. The obvious questions are: (1) to what degree does police socialization impact the rules of work practiced by Black and White officers? (2) How best can the socialization process take advantage of the natural positive differences between Black, White, male, and female officers and the various other unique characteristics they bring to the job through a conscious hiring effort to encourage diversity? While these issues are beyond the scope of this study, more attention needs to be paid to how officers are expected to behave, within the cultural milieu of their profession, during their interactions with the public. Much could be learned from additional studies that could assist the police in better taking advantage of diversity among its ranks.

### DEMOGRAPHIC ZONES

The satisfaction with police services differed considerably depending on zone. Citizens living in Zones 1, 2, and 4 were most satisfied with the police services they received at 78.9%, 79.2%, and 82.3% while those living in Zone 3 were least satisfied at 60.7%. This is interesting because Zones 1 and 2 represent opposite ends of the spectrum of demographic composition (i.e., Zone 1 is 90-99.3% White while Zone 2 is 50.6-79% Black). White and Black citizens had substantially different levels of satisfaction with police services in Zones 2, 3, and 4. Whites in these zones were more satisfied with police services with the largest discrepancy coming in Zone 2 (White, 88.9% to Black, 63.2%). White and Black respondents from Zone 1 were equally satisfied (78.8% to 78.6%).

Concerning police presence, respondents from the different zones were somewhat consistent. The majority of respondents from all zones believed no change in police presence was needed with percentages ranging from 58.1% (Zone 1) to 65.3% (Zone 2). The zone that had the highest percentage of respondents indicating more police presence was needed came from Zone 4 (37.9%) followed by Zone 1 (36%). Whites and Blacks differed considerably in response to this question in Zones 1, 3, and 4 while approximately the same percentage of Whites and Blacks in Zone 2 agreed that more police presence is needed. However, only the difference in perceptions of Black and White citizens in Zones 2 and 4 was significant ($p \leq .05$).

## *TREATMENT OF CITIZENS*

Two questions asked whether citizens felt that police officers treat minority groups and White people with respect (questions 24 & 25). In response to these questions, 57.7% of respondents indicated that they feel police officers treat minority groups with respect, while 76.2% feel that police officers treat White people with respect. In general, Black and White respondents responded quite differently to question 24 with 46.5% of Black respondents indicating that minority groups are treated with respect while 63.7% of Whites feel that minority groups are treated with respect which constitutes a significant difference ($p<.000$). Black and White respondents were in more agreement concerning how White people are treated by the police with 77.7% of White respondents indicating that White people are treated with

respect and 72.7% of Black respondents indicating that police treat White people with respect.

There were two obvious concerns presented in the data previously. First, while there are differences between the response of Whites and Blacks, there is a large percentage of both that do not feel that minority groups or Whites are treated with respect. Second, minority groups are far more likely to feel that Blacks are not treated with respect. There is considerable ground for the police to cover regarding the issue of respect. Black citizens in the focus groups often commented on how they were demeaned, or they would make statements such as: "you are stripped of your dignity," "you don't feel part of the community," or "they make you feel like a Black life isn't worth anything." The citizens attending the focus groups were respected members of the community. They were not a group of ex-felons lamenting about their bad luck at being caught and blaming the police for all the ills of society. The attendees were concerned citizens that had experienced, in many cases, first-hand poor treatment. In fact, several attendees were retired police officers. This simply adds credence to the problem and further emphasizes the point that officers must do more to avoid interactions that bring about such feelings of abuse. This is true whether the citizen is Black, White, or the member of another racial group. This seems to be a consistent theme that resonates with Black citizens across the country. This finding is similar to that of the Police Executive Research Forum's National Study on "Racially Biased Policing" (Fridell, et al., 2001).

There are tactics and techniques that can assist the police in maintaining safety, yet encourage a more positive interaction. One method suggested earlier was to inform citizens during a vehicle stop of the purpose of the stop. While some officers in Virginia indicated that they were taught to do this, they did not know if trainers were instructing other officers to do the same. While you can expect training design to improve and officers to be taught differently as the profession improves, it is important that there is consistency in training. It was suggested by the officers in their focus groups that consistency was lacking in training from one trainer to another. This is a persistent problem in training and it must be continually addressed by DCJS, academies, and police agencies who provide training to their officers. Further, if this confusion or difference exists in training, the question must be asked: How

does management supervise officers when there is no consistent standard or expectation?

One problem faced by training departments is that a regular trainer cannot meet with the scheduled class and another officer is pulled off the street to provide the instruction. While the officer pulled off the street to teach the class achieves the goal of having the class taught, there is often no guarantee that the officer doing the training is familiar with the content to be taught. If a training agency wants consistency in training, it is imperative that trainers be qualified in the content to be trained, updated as needed, and pass train-the-trainer courses before they are allowed to train.

### Demographic Zones

Respondents from the different zones in Virginia differed somewhat in their perceptions of how minority groups and White citizens are treated. Zone 3 had the lowest percentage (52%) of respondents who felt minority groups are treated with respect by police officers with the highest percentage (60.3%) belonging to Zone 1. Black and White respondents in Zones 2, 3, and 4 had drastically different views concerning the treatment of minority groups while Blacks and Whites have similar views in Zone 1. The difference in Black and White perceptions of treatment of minorities was significantly different in Zones 2 ($p<.016$) and 4 ($p<.001$).

Concerning the treatment of White people, 80.9% of the respondents in Zone 4 answered affirmatively, which was the highest percentage; while 68.4% of those from Zone 3 answered yes to this question. By race, the responses to this question across zones differed somewhat. A higher percentage of Whites in Zones 1, 2, and 4 felt that Whites were treated with respect. However, a higher percentage of Black respondents in Zone 3 felt Whites were treated with respect.

## *BIAS-BASED POLICING*

Several questions on the survey addressed citizens' perceptions of the prevalence of bias-based policing in Virginia and their hometown department. It is of concern that 42.8% of respondents felt that bias-based policing is presently practiced in Virginia police departments (question 28). However, this is not surprising considering the publicity this issue has gained in the past few years. In fact, it is more surprising that additional citizens did not report a perception that bias-based policing

occurred in Virginia. This is a good sign in that the majority of residents feel that the police are not practicing bias-based policing. However, it cannot be ignored that a large percentage of the population believes that bias-based policing is being practiced. In fact, as expected, Black and White respondents differed significantly ($p<.000$) in response to this question with 60% of Black citizens indicating bias-based policing is presently practiced in Virginia compared to 35.6% of White citizens. When asked to what extent they felt bias-based policing was an issue for their department, 16.5% responded that it was a serious issue, 35.4% felt that it was somewhat of an issue, and 21.5% felt that it was not an issue in their department. Interestingly, 60.6% of Black respondents felt bias-based policing was not an issue in their department compared to only 35.9% of Whites. These findings are consistent with the PERF study, which revealed 59.9% of the blacks surveyed do not believe bias-based policing is a significant issue (Fridell, et al., 2001). The responses to these two questions are somewhat perplexing. On one hand, Black citizens feel that bias-based policing is being practiced in Virginia, but about the same percentage feel it is not an issue in their department. Perhaps respondents took a "not in my backyard" approach to the question by indicating that bias-based policing occurs, but not in their area.

A total of 29.6% indicated that police officers' behavior is affected by the race of citizens (question 34) and 20.1% feel that minority officers are more fair in dealing with minorities (question 35). Interestingly, only 22.1% of White respondents felt that police behavior is affected by the race of citizens compared to 47.5% of Black citizens, and only 16.3% of White citizens thought minority officers are more fair in dealing with minorities compared to 29.3% of Black respondents.

### Demographic Zones

When looking at the responses by zone, the results are interesting. The two highest percentages of respondents who felt that bias-based policing is being practiced in Virginia came from Zone 2 (59.2%) and Zone 3 (50.9%), while respondents from Zone 1 and Zone 4 felt that bias-based policing was being practiced less (37.2% and 39.3% respectively). A higher percentage of Blacks in Zones 1, 3, and 4 felt that bias-based policing was being practiced in Virginia. Blacks differed from Whites by 17.9 to 32.6 percentage points in response to this question with significant

Black-White differences occurring in Zones 1 ($p$<.031) and 4 ($p$<.001). Black and White citizens in Zone 2 were almost in agreement concerning this item, but the majority of both Blacks and Whites felt bias-based policing was being practiced in Virginia.

Focusing on their department, Zone 2 had the highest percentage of citizens who felt bias-based policing was an issue in their police department (60.5%) followed by Zone 3 (53.8%). The lowest percentage of citizens who felt bias-based policing was an issue in their department came from Zone 4 (47%). Black and White respondents in Zone 2, 3, and 4 differed considerably in answering this question with the largest difference occurring in Zone 4 (76% to 31.6% respectively). Concerning whether race influences police officers' behavior, affirmative responses ranged from 25.9% affirmative responses in Zone 4 to 40.8% in Zone 2. Across zones, Black and White responses differed considerably. A higher percentage of Black respondents in all four zones felt that the behavior of police officers is influenced by race. However, this difference was significant only in Zones 3 ($p$<.037) and 4 ($p$<.000). In response to being asked if minority officers are more fair in their dealings with minorities, affirmative responses ranged from 15.9% in Zone 4 to 31.6% in Zone 3. In all zones, a higher percentage of Black respondents felt that minority officers are more fair in interactions with minorities, but not to the point that it represents the majority opinion of those responding (20% to 44.8%).

## *INFORMATION*

Three questions on the survey concerned collecting information about bias-based policing and the manner in which this information is shared with the public. When asked if they thought the police should collect information concerning bias-based policing (question 30), 61.9% responded yes. To this question, White and Black citizens responded somewhat differently with 58.9% of White citizens agreeing that bias-based policing information should be collected while 68.8% of Black citizens responded affirmatively. However, this difference in perception is not significant.

When asked if the police department openly shares information with the public (question 36), 41.5% of respondents indicated that the police openly shared information. White respondents indicated that the police openly

share information with the public at a higher rate than Black respondents (45.3% to 34.7% respectively) and this represents a significant difference ($p<.001$).

This is an obvious indication that, overall, the police are not perceived to share information with the community as a whole and this feeling is most pronounced in the Black communities. In discussions with department personnel, many of them feel that they do much to inform the public and to interact with them. A review of the programs and efforts of several of these departments indicated that they had numerous programs designed to assist in opening communications with the public. In truth, however, many citizens do not participate, are not informed of what programs are in the community regardless of the efforts extended by the department to inform citizens, and often it is the same group of citizens who work with the police. While the police need to do all they can to involve the community, citizens themselves must take the initiative to be informed and involved. Efforts to encourage such participation must be shared by the community and the police alike.

Finally, citizens were asked if the media honestly reports bias-based policing incidents (question 37), to which only 26.6% answered yes. Given the impact that the media has on such issues, it is curious that such a small percentage of the respondents felt that the media honestly reported such incidents. While these results are an obvious indicator of distrust for the press, they also serve to further demonstrate the hurdles departments have to overcome in their efforts to be seen as responsive and ethical to the public they serve. The problem of the press and their reporting of police incidents is further exacerbated by the fact that incidents of abuse in one department creep over to all police agencies. In each location, officers lamented that they are still fighting the Rodney King image of police brutality in California. The only way that departments can be successful in their communities is to have open communication and citizen involvement in the department. Community-based policing strategies are designed to enhance police and community involvement and we would suggest that departments continue with this management philosophy, or implement it if they do not presently practice this management style.

### DEMOGRAPHIC ZONES

The majority of all respondents from each zone felt that police departments should collect information concerning bias-based policing with the largest percentage coming from Zone 3 (71.9%) and the smallest percentage coming from Zone 1 (54%). The majority of Black and White respondents from all zones felt the police should collect this type of information. In Zone 2, 69.2% of White citizens felt police should gather this information compared to only 45% of Black citizens but this difference is not significant. Of those responding to questions about the openness with which the police share information, Zone 1 had the highest percentage of citizens indicating that the police openly share information (47.1%) and Zone 3 had the lowest (33.3%). Responses differed somewhat by race across zones. In general, a higher percentage of White citizens in all zones felt the police openly shared information with the greatest difference occurring in Zone 1. The media received unfavorable ratings from all zones; however, in Zone 3, 38.6% indicated that the media honestly reports bias-based policing incidents. Respondents from the other three zones ranged from 22.1% in Zone 1 to 28.6% in Zone 2.

## *SERVICE CALLS*

The next section of the survey contained questions pertaining to calls requesting police service. If citizens had contacted the police to ask for assistance for any reason, they were asked a number of questions concerning how the contact was initiated, the response time, and the treatment and service they received. In general, 78.7% of those responding characterized the call taker as courteous and polite (question 43) and 82% of respondents felt that the response time was reasonable (question 46). The perceptions of the call taker differed considerably by race with 96.1% of White respondents characterizing them as courteous and polite versus 75% of Black respondents. The perceptions of response times between Black and White citizens differed somewhat with 83.7% of White citizens indicating response time was reasonable compared to 75% of Black citizens. Concerning treatment by the call taker (question 47), 92.2% were satisfied or very satisfied with the service received from the call taker. Satisfaction with service received from the call taker differed somewhat by race with 94.2% of White citizens reporting to be satisfied or very satisfied with their service

compared to 83.3% of Black citizens. These differences are not significant.

When citizens walked into a police station to report a crime or incident, 100% reported that they were treated in a courteous or polite manner (question 48). Similarly, 100% of those who had stopped a marked police vehicle to report a crime or incident reported that they were treated courteously (question 49). Overall, 85.7% of the respondents reported feeling satisfied or very satisfied with the service provided by a police officer when requesting police service (question 50). Comparison of responses by race on questions 48, 49, and 50 are not meaningful due to the small number of respondents (both Black and White).

### DEMOGRAPHIC ZONES

Responses to question 43 differed considerably across the four zones. While callers in Zones 2 and 4 characterized call takers as courteous/polite by 100% and 91.3% respectively, callers in Zones 1 and 3 were somewhat less impressed with their call takers (70% and 78.6% respectively). Citizens in the various zones differed considerably in how reasonable they viewed response time, with more citizens in Zones 2 and 4 viewing response time as reasonable (100% and 91.3% respectively) compared to Zones 1 and 3 (70% and 78.6%). In general, respondents from all four zones were satisfied to very satisfied with the services they received from the call takers (question 47) with affirmative responses ranging from 80% (Zone 2) to 100% (Zone 4).

## *CRIME REPORTING*

Next, respondents were asked if they had ever contacted the police to report a crime. Those who answered affirmatively were asked several questions about the citizens' role in the crime and the manner in which the situation was handled by the police. In response to a question asking if the victim's rights were explained to the victim (question 52), 44.2% indicated that the victim's rights were explained to the victim. Black and White citizens differed considerably on this item with only 22.2% of Black respondents reporting that the victim's rights were explained compared to 50% of White respondents. This difference is not significant. Concerning written reports, 74.5% indicated that the officer made a written report in response to the contact (question 53). By race, responses to this item differed with 79.1% of White citizens reporting that a written report was made

compared to only 57.1% of Black citizens. This difference is not statistically significant.

Of those who indicate a report was not written, 27.3% felt that a bias was the reason behind no report being written (question 54). It is very interesting that Black and White respondents completely disagree in response to this question. Zero percent of White citizens felt that bias was the reason police officers failed to write a report while 100% of Black citizens felt that bias was the reason police did not write a report on the incident. This is a significant difference ($p<.008$) and warrants more attention and investigation. This variation illustrates that, regardless of what the actual reason might be, presumptions are made by citizens regarding officer behavior relative to their perceptions of police as a whole. As much as any question on the citizen questionnaire, this single question demonstrates the need for departments to attain and maintain the respect and trust of the entire community. It further demonstrates the need for officers to communicate better in order to inform citizens what they are doing, why the officer is taking such action, and what the citizen should expect to occur following the actions of the officer. It is clear throughout the study that officer behavior is often perceived as arrogant, unresponsive, abusive, and racially biased especially in Black communities. This appears to be a consistent theme and matches the findings of the national survey conducted by PERF (Fridell, et al., 2001).

When asked about follow-up contact regarding the report (question 55), 55.3% of respondents indicated that the police department did not contact them to follow-up on the report. White respondents were evenly split in responding to this question with 50% reporting follow-up contact after reporting a crime, while Black respondents reported less follow-up contact (22.2%). It is troubling to discover that White respondents were almost 10 times more likely to receive follow-up contact from police than Black respondents. This study was not designed to determine the reasons for such variation; however, Virginia departments would be well advised to review their policies and procedures to ensure that appropriate follow-up procedures are in place and that they are practiced by department personnel.

When asked if racial bias was exhibited in handling the incident (question 56), 90.4% of respondents indicated that bias was not exhibited. Again, Black and White responses

differed on this item with only 2.4% of White respondents indicating that racial bias was exhibited during the incident compared to 36.4% of Black respondents which is a significant difference ($p<.05$). Similar to responses to item 56, when asked if gender bias was demonstrated during the handling of the incident, 90.4% of respondents indicated that bias was not demonstrated. There are additional areas where departments should conduct efforts to determine why perceptional differences exist and to institute policies and procedures, training, and management strategies that will help to alleviate problems where they occur.

### Demographic Zones

Across the four zones, a comparison of responses to several questions reveals notable findings. Concerning the officer's initiative to explain the victim's rights (question 52), Zone 3 had the highest percentage with 55.6%. The other zones ranged from 50% to 40% (Zone 2 and Zone 4 respectively). After reporting a crime, a written report is a standard practice in almost all police departments. However, departments in certain zones seem to fall short in this area. Only 40% of the respondents from Zone 2 indicated that the officer made a written report after they reported a crime. Percentages from Zones 1, 3, and 4 ranged from 69.9% to 100%. Racial bias in handling the incident did not seem to be commonplace in any zone with negative responses to question 56 ranging from 80% to 100% when asked if racial bias was encountered in handling the incident. Of course, no bias of this type is acceptable.

## *FIELD INTERVIEWS*

Respondents also were asked if they had ever been stopped by a police officer and asked why they were in a certain location. If respondents indicated they had experienced this, several additional questions were presented. Of those who had been stopped for this reason, 36.4% were stopped in a predominantly White neighborhood, 36.4% were stopped in a predominantly Black neighborhood, 18.2% were stopped in a commercial or industrial area after normal business hours (question 58) and 36.4% reported that the area in which they were stopped was rumored to be an area of criminal activity (question 59). Only 31.8% of respondents reported having their person searched during the stop (question 61) and 40% reported having their vehicle searched during the stop (question 63). Only 16.7% of

those having their vehicle searched reported that the police officer requested permission to search their vehicle (question 64). Concerning the reason for the stop, 28.6% felt they were stopped due to their race, 4.8% felt they were stopped due to their gender, 28.6% felt they were stopped due to their lifestyle, and 38.1% felt they were stopped for some other reason. As we can see from the responses to this question, various groups feel biased against by actions of the police. The officers' reason for the stops is unknown; however, once again it would be prudent for officers to explain their actions to citizens in an effort to thwart perceptions of bias. Officers have the opportunity to practice good public relations under such conditions, leaving the citizen with a positive attitude toward the police instead of a negative perception. Departments are well advised to train officers in the proper approach and introduction techniques, as well as disengagement techniques that are likely to enhance the public's perception of their department. Further, it is not known what relationship these responses have with police profiling. It would, however, be crucial for departments to review their hard and soft profiling scripts to determine if they are appropriate and useful for the department.

Due to the relatively small number of citizens responding to questions in this section (n=22), a comparison of responses by zone or race is not useful or appropriate. However, a higher percentage (63.6%) of Whites had been stopped and asked why they were in a certain location than Blacks (31.8%). Therefore, White citizens in this survey were more likely to be stopped and asked why they were in a certain location by a 2 to 1 ratio. This is contradictory to the claim that Black citizens are targeted more often due to their race under these circumstances. Nonetheless, these results should be interpreted and generalized with caution due to the small sample size.

## *TRAFFIC STOPS*

Respondents also were asked if they had ever been stopped by the police while in a motor vehicle. Those who responded yes were asked a series of questions concerning the traffic stop. Of those who had been involved in a traffic stop, 59.6% were stopped for speeding (of which 74.7% were White and 23% were Black), 3.4% were stopped for running a red light (of which 80% were White and 20% were Black), 5.5% for a vehicle defect (of which 62.5% were White and 25% were Black), .7% for a roadside check for drunk drivers, and

3.4% to check their license plate, driver license, or registration (of which 40% were White and 60% were Black). Seventy percent of those involved in a traffic stop indicated that they felt the police had a legitimate reason for stopping their vehicle (question 71) with 74% of White respondents feeling the stop was legitimate compared to 61.3% of Black respondents. While this difference appears considerable, it is not statistically significant. Only 11.9% of those responding indicated that their vehicle was searched during the traffic stop (question 72) with 37.5% indicating that they gave the officer permission to search the vehicle (question 73). If the officers did not gain permission to search vehicles, it is not an indication that they acted unlawfully or improperly because they are required to have probable cause if a search was conducted without permission. There was little difference in how Black and White citizens responded to these questions with 11% of Whites indicating that their vehicle was searched compared to 16.7% of Blacks, while 38.5% of Whites indicated that they gave permission to search their vehicle compared to 33.3% of Blacks. Again, these differences were not significant. Only 14.7% reported that they were searched or frisked during the traffic stop (question 74) with Black citizens being slightly more frequently searched or frisked than White citizens (19% for Blacks and 14.3% for Whites) but not significantly more. Overall, the responses in this category indicate that Blacks and Whites perceived that they are treated similarly by the police in Virginia.

Respondents were asked if officers found illegal weapons, illegal drugs, or open containers of alcohol during the traffic stop (question 75). Of those who were searched or frisked, no respondents admitted to possessing illegal weapons, 16.7% (n=1) admitted that illegal drugs were found, 42.9% (n=3) admitted that open containers of alcohol were found, and 40% indicated that nothing was found during the search.

Concerning the outcome of the traffic stop (question 76), 15.1% (n=22) of those responding indicated they received a warning, 56.2% (n=82) indicated they received a ticket, 5.5% (n=8) indicated they were arrested, and 2.1% (n=3) indicated they were questioned about being in the area. White citizens had higher percentages of receiving a warning (15.8% Whites [n=17] vs. 14.7% Blacks [n=5]), and receiving a ticket (55% Whites [n=59] vs. 53% Blacks [n=18]), while Black citizens had a higher percentage of being arrested (4.7%

Whites [n=5] vs. 8.8% Blacks [n=3]), and questioned about being in the area (0.9% Whites [n=1] vs. 5.8% Blacks [n=2]). Of the traffic stop outcomes, no significant differences were found between Blacks and Whites for receiving a warning, a traffic ticket, being arrested or questioned about being in the area. Of those responding to this section of the survey, 21.9% (n=32) indicated that someone was mistreated by the police officers during the encounter (question 77). This mistreatment included verbal abuse (5.5%), rudeness (11.6%), and the use of physical force (1.4%). White citizens reported instances of verbal abuse at a slightly higher rate (57% for Whites and 43% for Blacks) and more instances of rudeness and physical force.

It is obvious from the data that officers are perceived to be rude by both Blacks and Whites equally in the instances described in this series of questions. Officer verbal abuse rudeness are management issues and every department should ensure that such behavior is not tolerated and quickly addressed when discovered. It should also be understood, however, that regardless of how diligent departments become in attempting to stop these forms of harassment, it is likely that they will never be harassment free. This is not offered as an excuse to ignore the problem, but to be realistic in their attempts to rid the department of such behaviors and to encourage continued vigilance. Further, there appears to be no significant differences reported by Blacks and Whites. During the focus group meetings we heard a significant number of complaints about rudeness on the part of the officers during a traffic stop. This was consistent with the PERF national study, which also found the same type of citizen complaints pertaining to traffic stops. This suggests a need to evaluate traffic stop procedures and to develop training and administrative oversight to ease this problem.

During the post review project meeting with senior-level police managers on July 21, 2004, discussion moved to an issue addressed by Harris (2002, pp. 107-115). Specifically, a senior researcher described a topic discussed by Black parents with their children as they reach driving age, often referred to as "The Talk". Essentially, high ranking Black law enforcement officials and Black parents from a variety of professions shared what they told their children as they reached driving age. The discussion included warnings that they might be subjects of racial profiling. Therefore, children were told to avoid creating problems

for the police, keep their mouths shut, and do exactly as they are told. The senior researcher informed his audience that his father had the same conversation with him when he began driving, and that he had conveyed the same message to his boys when they reached driving age. While racial profiling was not the issue and the term profiling was not used by the researcher during "The Talk", such warnings as the police are always looking for young drivers speeding; the type of car you are driving will draw the attention of the police, so do not speed; if a group of guys are together they will draw the attention of the police, and so forth were included.

The senior researcher used this as an example that both Whites and Blacks have concerns about the police and the confrontations that their children might face with the police. The senior researcher concluded with the question, "What is the difference here?" In response to the researcher's comments, a Black command officer stated simply, "Yeah, but I'll bet you never told your boys that they might get killed." The senior researcher simply responded, "You're right." This put into perspective the White/Black difference. For a White parent, the issue is helping their children avoid additional legal consequences, and the potential for physical force being used against them should they not respond appropriately to the orders of the police during a street encounter. For the Black parent, it can come down to the survival of their offspring. Perhaps, more than anything else, this demonstrates the difference in perceptions between segments of Black and White citizens in America.

## Demographic Zones

The most frequent reason for a traffic stop in all zones was speeding. The majority of citizens in Zones 1, 2, and 4 felt that the officer had a legitimate reason for stopping their vehicle with affirmative responses ranging from 61.1% in Zone 2 to 81.1% in Zone 4. However, only 50% of respondents in Zone 3 felt their traffic stop was legitimate. Traffic stops involving vehicle searches were uncommon in all zones with affirmative responses to question 72 ranging from 10.4% in Zone 1 to 16.7% in Zone 2. Likewise, incidents where someone was searched or frisked (question 74) were somewhat uncommon with affirmative responses ranging from 7.1% in Zone 3 to 19.5% in Zone 4. The most frequent outcome of traffic stops in all four zones was being issued a traffic ticket (question 76). A

considerable percentage of citizens in all four zones felt that someone was mistreated during the encounter with affirmative responses ranging from 20.4% in Zone 1 to 27.8% in Zone 2. Although this represents a minority of the respondents, it does appear to be somewhat surprising that the percentages are in this range. The most common type of mistreatment in all zones was being treated rudely by the officer, followed by verbal abuse. Incidents involving use of physical force during a traffic stop were rare in all zones (only two cases total). It should be noted that the uses of physical force might well have been justified in the instances reported by citizens. No attempt on the part of the researchers was made to draw conclusions on the correctness or incorrectness of the use of physical force by the police in Virginia.

## *USE OF FORCE*

In general, very few incidents involving the use of physical force were reported by respondents in the sample. Only 18 respondents indicated that they had experienced situations where a police officer made a threat to use or used force against them or someone who was with them. Of those responding to questions concerning physical force, 5.6% reported incidents of being pushed or grabbed in a way that did not cause pain, 44.4% reported incidents of being pushed or grabbed in a way that caused pain, 5.6% reported being kicked or hit by the police, 5.6% reported having a police dog unleashed on them or someone with them, 5.6% reported having chemical or pepper spray used against them or someone with them, 16.7% reported having a gun pointed at them or someone with them, 5.6% reported having a gun fired at them or someone with them, and 77.8% reported being verbally threatened. The most common citizen actions related to the incidents where physical force was used involved resisting being searched or having their vehicle searched (38.9%) and cursing, insulting, or calling police officers names (27.8%). Of those who were involved in use of force situations, only 16.7% felt that the police behaved properly, but 82.4% of citizens, themselves, felt that they had behaved properly. It is encouraging to see that only 18 (4.7%) of the survey respondents had some form of force used against them.

Due to the relatively small number of citizens responding to questions in this section (n=18), a comparison of responses by zone or race is not useful or appropriate. However, it is worth noting that the small number of citizens who

have experienced situations where the use of force was involved is an important and positive finding in and of itself. However, caution should be exercised when drawing conclusions from such small numbers. Finally, it must be kept in mind that the use of force by the police is legal and expected officer behavior when justified, and that no effort was made on the part of the research effort to evaluate the appropriateness of force used by the police.

## *DEMEANOR OF POLICE OFFICERS*

The final section of the survey asked citizens to describe their contact with police officers due to traffic accidents, investigation of crimes, matching the description of a wanted person, or serving a warrant. Of those who answered questions in this section of the survey, 87% indicated that they were informed of the reason for the contact with the police. White and Black citizens reported being informed of the reason at about the same rate (88.6% and 87.5% respectively).

Interestingly, 25.2% indicated the police treated them rudely during such contacts (question 92) of which 23.7% were White and 39.1% were Black. This difference is not significant. Additionally, respondents were asked to identify the race of the person to whom the officer(s) was rude. White citizens were the target of this rudeness nearly four times as often as Black citizens (question 93). Seventeen percent of those reporting rude treatment by the police were White, 4.4% were Black, 1.5% were Hispanic, and .7% were Asian. Of those who were treated rudely, 14.9% felt that it was due to race, 8.1% felt it was due to gender, and 8.1% felt it was due to lifestyle. Black respondents were twice as likely as Whites to perceive the rudeness as being related to race.

### DEMOGRAPHIC ZONES

Across the four zones, citizens appear to have been informed of the reason for their contact with the police with the percentage of affirmative responses to question 91 ranging from 82.6% in Zone 1 to 100% in Zones 2 and 3. Being treated rudely by officers during this contact appears to be a somewhat frequent occurrence in all four zones. This can be seen in the number of affirmative responses to question 92 being 22.9% in Zone 1, 33.3% in Zone 2, 36.8% in Zone 3, and 26.5% in Zone 4.

In three of the four zones, a White person was the most common target of the police officer's rudeness with the greatest number of instances being reported by citizens in Zone 1, followed by Zones 4, 3, and 2. Of those who were treated rudely, relatively few felt it was because of race. The highest percentage of those feeling race was the cause for the officer's rudeness came from Zone 2 (i.e., heaviest Black population) with 40% and the lowest from Zone 4 with 4.3%.

## *SUMMARY*

Overall, the citizen questionnaire provided insight into how the practices of police departments in the Commonwealth of Virginia handle issues with the public. The majority believed police responded in a reasonable amount of time when summoned.

Some promising findings include the fact that 70% of the respondents trust the police and 90% are satisfied or somewhat satisfied with their police departments. This represents the opinion of the majority of those citizens involved in the survey and serves as a clue that the Commonwealth of Virginia police are keeping their citizens satisfied, in a broad sense, while building a rapport with the people. Additionally, citizens reported that call takers at the police station were generally courteous and polite. A compelling 100% reported that the officers were courteous when they walked in or stopped a police vehicle in order to make a complaint or report a crime.

Some discouraging findings of the citizen questionnaire include the significant differences found between citizens when broken down by race. Both Whites and Blacks believed that the police treat white people with respect, but Black citizens more so believed that Black citizens were not treated in a respectful nature. On the contrary, White citizens, represented in the survey, were four times more likely to be the target of rudeness from the Virginia police. This represents a perplexing finding considering that Black citizens should have been more prone to rudeness if they are indeed less likely to be treated with respect. One would assume that rudeness and disrespect go hand-in-hand. As a side note, the majority of citizens represented in the survey did not believe that the media honestly reports police incidents. This perceived failure of the media to accurately report events could, in fact, contribute to the general difference of opinion between White and Black respondents and the fact that more

Black citizens feel police tactics are geared toward racial bias.

# STUDY FINDINGS: OFFICER QUESTIONNAIRE

Respondents to the Officer Questionnaire survey instrument were asked to answer 45 questions concerning issues such as their knowledge of bias-based policing, the bias-based policing training they received, their perceived existence of bias-based policing in police departments within the Commonwealth, and their beliefs regarding the media's account of bias-based policing incidents.

This section is divided into three sub-sections for the ease of the reader. The sections include: (1) "Overall Analysis" which examines all survey participants' responses; (2) "Analysis of Urban and Rural Police Departments" which examines survey participants' responses categorized by the department in which they serve; be it in an urban or rural area; and (3) "Analysis by Demographic Zones" which examines survey participants' responses organized according to the geographical zone in which their department is located. Survey responses were examined for statistical significance (i.e., significant differences between race, rank, urban or rural locations, and demographic zones). We considered any statistic at the $p \leq .05$ level to be significant. Where differences were significant, the *p*-value is reported. The following sections discuss some of the more important findings from the survey organized according to the aforementioned design.

## *OVERALL ANALYSIS*

### PARTICIPANTS

Participants who completed the Officer Questionnaire included 1,593 local and county police officers ranging in rank from Officer to Senior-Level Management. Due to the lack of racial information provided on 39 of these surveys, only 1,554 survey responses were included in the data analyses. Of this sample, 86.7% were male and 13.3% were female. Of the sample of officers who completed the survey, 84.1% reported their race as White, 11.5% reported their race as Black, .5% reported their race into a category that included American Indian, Aleut, and Eskimo, 1.6% reported their race as Asian Pacific Islander, and 2.4% categorized their race as Other. For data analysis, the following three racial groups were utilized: White, Black, and Other. The "Other" category included those

individuals who reported their race as American Indian, Aleut, Eskimo, Asian Pacific Islander, or Other. Nearly 4% reported being of Hispanic origin (3.8%) and 96.2% reported not being of Hispanic origin. Officers' reported their age in ranges of 18-39 (58.3%), 40-59 (39.8%), and 60 and above (1%), while .9% did not report their age.

The levels of education attained by the officers responding to the survey include 1.5% who reported receiving a General Equivalency Diploma (GED) and 13.3% who reported receiving a high school diploma. Of the officers responding, 31.3% reported completing some college, while 17.4% reported receiving an associate's degree in the arts or sciences, 31.4% reported receiving a bachelor's degree in the arts or sciences, 4.1% reported receiving a master's degree in the arts or sciences, and .5% reported receiving a Ph.D. Of the officers responding, .5% did not report their highest level of education.

Of the officers who completed the survey, 4.3% indicated their rank as that of Senior-Level Management (i.e., Chief, Deputy Chief, Major, and Captain), 18.9% indicated a rank of Mid-Level Management (i.e., Lieutenant and Sergeant), and 76.3% indicated a rank at the Officer Level (i.e., Corporal and Officer).

The police survey respondents reported their current assignments as being administration (7.8%), investigation/detective (24.6%), patrol (46.4%), patrol support (6.9%), training (2.1%), planning and research (.3%), crime analysis (1.4%), crime prevention (8.8%), and 1.7% of the officers who completed the survey did not indicate their current assignments. Furthermore, 20.5% of respondents reported serving in their current departments 0-3 years, 16.4% reported serving in their current departments 4-6 years, 17.2% reported serving in their current departments 7-10 years, 14.6% reported serving in their current departments 11-15 years, and 31.1% reported serving in their current departments 16 years or more. Of the officers responding, .1% did not indicate the length of time they have worked in their current police departments.

### Survey Items

As described in the Research Methods section, the police officer survey consisted of 45 multiple-response questions.[6] The first eight

[6] The research staff received written and oral communication from two police chiefs who voiced their

concerns regarding the validity of the police survey instrument. One chief clearly indicated his concerns in his written communication as follows:

> It is my view that the survey instrument is flawed and may generate invalid results. For example, asking questions about *bias-based policing or early warning systems* without any definition of those terms can result in an inaccurate response. Respondents will be answering the question based on their definition of the terms, which may or may not be the same definition you have used in structuring the questions. This certainly has the potential to detract from the validity of any conclusions or generalizations that you might make from analyzing the resulting data.
>
> In addition, questions 21 and 22 seem to be poorly written and the respondent might interpret what is being asked in a number of different ways. Part of the issue involved deals with what you mean by the terms *unofficial support* and *held accountable*. Finally, question 35 is open for broad interpretation of the term *community*. With the recent public interest and media coverage of issues related to *bias-based* policing, the odds of a citizen or two bringing up the issue of bias during an encounter with a police officer is certainly greater than it was ten years ago. Do one or two individuals speak for the community? If not, how do you define what you mean by community as used in that question?

In response to these expressed concerns a senior research consultant responded, in part, in a follow-up letter:

> One of the reasons that we held focus groups with over 200 police officers in Virginia and over 230 citizens of the Commonwealth was to help us develop the questionnaire and to ensure that we had a good idea as to how officers and citizens perceived this important issue. Also, as we discussed in our phone conversation we pre-tested the officer questionnaire on Alabama police officers. Following our discussion with them we made changes consistent with their concerns. Also, the survey was reviewed by DCJS staff and we adjusted the questionnaire in response to their recommendations as well. In short, we have made every effort to ensure, as best one can, that the questionnaire is addressing the issues relevant to Virginia in as straight forward a manner as possible.

questions asked survey respondents to provide information regarding their age, race, gender, education, and current police assignment. The remaining 37 questions involved the respondents' knowledge, training, perceptions, and experience with bias-based policing. Various analyses were conducted on the data categorized by race, rank, department size, and geographic zone. What follows is a description

In the telephone conversation referred to in the previous letter it was further explained by a senior researcher that the purpose of the questions identified was to discover officer interpretations and understanding. If the researchers provided definitions or explained what they meant the survey instrument would not serve to help the researchers determine what the officers knew, what their interpretations were, or how they perceive and understand bias-based policing. Such information would be crucial to providing recommendations regarding training and administrative responses.

It is further important to note that during all the focus group meetings no Virginia officers indicated that they misunderstood the intent of questions 21 or 22. Further, during the focus group meetings where the issues addressed in question 35 were discussed, the participating officers indicated that they were fully aware of what was being asked. They understood that what was being asked was their perception of what each of the various individual communities would report. This did not mean everyone, but an overall trend, from their perception.

of the survey results, organized by question theme.

*Bias-Based Policing Knowledge and Training*

In an effort to assess police officers' knowledge of bias-based policing, survey respondents were asked if they had a clear understanding of what bias-based policing included (question 9). Eighty-seven percent of police officers answered "yes", 12.2% answered "no", and .8% failed to answer the question.

Some respondents who did not have an understanding of the term "bias-based policing" expressed concern about this question. In fact, several respondents refused to continue with the survey because answers were dependent upon their understanding of the term. In fact, as noted earlier in the report, some officers during the focus groups asked the researchers to define bias-based policing. While a large majority of officers indicated that they understood this term, there are a number of them that do not understand what is being communicated by this phrase. There is a difference between bias-based policing, cultural diversity, and racial profiling. This difference could be causing some of the confusion. This suggests clearly that in-service training efforts need to be made to ensure that officers understand all the issues surrounding police bias in addition to cultural diversity and racial profiling issues. This also suggests that the curriculum provided at the basic training academy should be reviewed as well to determine if the subject matter is included in trainee instruction. It is insufficient that officers are familiar with racial profiling or cultural diversity alone, but that they understand the broad implications and issues involved in police bias.

To obtain insight into any bias-based policing training that Virginia officers received, survey respondents were asked a series of questions concerning the availability, frequency, and evaluation of such training. In response to these questions, 55.9% of officers reported having received bias-based police training in the academy (question 10); 42.6% reported that they did not receive bias-based police training in the academy; and 1.5% failed to answer the question. It must be kept in mind that many officers graduated from basic training some years past. It has only been in the past few years that blocks of instruction such as cultural diversity and racial profiling have been added to the curriculum in basic training.

When asked if their departments made training on bias-based policing available (question 11), 78.1% of officers responded affirmatively, 18.9% responded negatively, and 3.0% failed to answer the question. In discussions with officers, it also became clear that they felt they had received training in bias-based policing if they had a class in racial profiling and/or cultural diversity. While these areas are elements of bias-based policing, as traditionally taught, they do not address the topic of police bias as a whole. As noted previously, there should be an effort to ensure that training at the academy and in-service courses cover the topic *in toto*. It is important that officers understand bias-based policing and its many ramifications and that they are educated in the various methods used by other departments to address these issues within their community. It is also important to note that almost 19% of the departments surveyed did not provide in-service bias-based police training to officers.

Additionally, when asked how frequently bias-based training was made available in their department (question 12), 31.3% reported that training was made available annually; 9.3% reported that such training was available multiple times per year; 45.7% did not know how frequently this training was provided; 10.7% reported that such training was not provided; and 3.0% failed to answer the question. It should not be considered unusual that a large number of officers would not know the scheduling format for the delivery of specific training modules to officers. Training decisions are made by administrators and training managers within departments. However, the issue of bias-based policing training frequency is important for two major reasons: first, in larger departments it is important that training sessions be provided with sufficient frequency to ensure that every officer in the department can be trained in a reasonable time frame. It is difficult in small departments to coordinate a training schedule for officers who work shifts covering a twenty-four hour workday to ensure that they are all trained in new subjects, receive recertification training, and are kept current on new policing methods relevant to their work. In larger departments, the problems associated with the scheduling of training is multiplied several times.

Second, it is also important that such training be updated on a regular basis and that all officers receive the updated training as needed and in a timely fashion. The courts are not

sympathetic toward departments that fail to properly train their officers. It is both expensive and difficult to provide needed training. However, regardless of the problems associated with providing the needed training, departments are held to a training standard that, if not met, will reduce the efficiency of the department and make them liable because of insufficient training.

Officers were asked to rate the bias-based training they received while in Virginia using a descriptive scale of excellent to poor (question 14). Of those responding, 19.3% provided a rating of "excellent", 55.2% gave a rating of "average", 3.8% evaluated the training as "poor", 18.5% reported that they did not receive bias-based training in Virginia, and 3.2% failed to answer the question. By race of the officers, 76.3% of White respondents, 66.9% of Black respondents, and 60.9% of Other respondents rated the training received as "average" to "excellent". Chi-square analyses revealed significant differences between White and Black respondents evaluating their training as "excellent" or "average" ($p<.016$); between White and Other respondents evaluating their training as "excellent" or "average" ($p<.004$); and between White and Other respondents evaluating their training as "excellent" or "poor" ($p<.008$). White officers consistently rated training better than either Blacks or Others. However, one can conclude that while White, Black, and Other respondents differed in their evaluation of the training they have received, they feel that the quality was acceptable on average. It would, however, be useful to determine why Blacks and Other officers consistently evaluated bias-based police training lower than their White counterparts. Such information could be very helpful when redesigning bias-based police training and training delivery methods.

When asked if all supervisors were required to attend training that would assist them in identifying officers and staff who might be engaging in bias-based policing practices (question 15), 35.5% answered "yes", 12.7% answered "no", 50.6% reported that they did not know, and 1.3% failed to answer the question. Examining responses by rank, 33.1% of officers, 43.9% of Mid-Level Management, and 43.3% of Senior-Level Management answered affirmatively to this question. Significant differences were found between the responses provided by Senior-Level Management and Officers ($p<.000$) and Mid-Level Management and Officers ($p<.000$). This suggests, as would be expected, that managers

at all levels are familiar with their training requirements, whereas Officers are not necessarily aware of such requirements. It is also interesting to note, however, that a large number of police managers are not required to attend training that would assist them in identifying officers and staff who might be engaging in bias-based policing. Managerial training, combined with other administrative safeguards, designed to help thwart bias-based policing, would be an important component of a police strategy to control such improper acts. Further, as noted later in the report, when asked about what managers would do if they observed bias-based policing, responses were not encouraging. This further suggests that improvements in managerial standards and training are in order.

Officers were asked to comment on whether or not they believed that more bias-based policing training should be required in their department (question 16). In response to this question, 32% answered "yes", 64.7% answered "no", and 3.2% failed to answer the question. Of those responding to this item, only 25.9% of White respondents indicated that more bias-based policing training should be required compared to 72.5% of Black respondents and 43.5% of Other respondents. To further address this enforcement issue, chi-square analyses were conducted to determine if significant differences between White, Black, and Other respondents existed. Significant differences were found between White and Black respondents ($p<.000$), White and Other respondents ($p<.001$), and Black and Other respondent ($p<.000$). Therefore, it is clear that officers of differing races disagree concerning the need for more bias-based policing training. This certainly indicates that there is a difference of perspective or level of awareness between officers of different races, warranting further investigation.

From our discussions with officers, keeping in mind that the focus groups were conducted among urban departments, White officers often reported: (1) they felt overwhelmed with all the race-related training, discussions, and media of which they had been subjected; and, (2) they reported their frustration at departmental attempts to ensure that residents received the services they requested and that they were not biased in their enforcement of the law; however, residents continued to complain no matter what they did. Black and Other officers could relate better to the problems of their racial groups.

This suggests not only that improvement in training would be advisable, but perhaps, more importantly, it suggests that other avenues in combination with training are needed to best meet the needs of the community. Frequently, the response to a problem faced by the police is to add a training module to "solve" the present problem at hand. Training alone will not achieve the overall objective of eliminating bias-based policing. It will require a combination of administrative efforts, community involvement, enforced policies, and cultural changes to meet this goal. Further, as frustration persists among officers attempting to meet the challenges of the day, they must be continually reminded that dealing with community concerns is a continuous effort for all officers and that success is a goal not a destination. There will always be room to improve. Importantly part of the training design instruction should include the issues of officer frustration and how it can be overcome. Once an officer becomes overwhelmed, he or she will tune out calls for improvement because they will see it as an impossible task. Departments must work to overcome these feelings of helplessness and frustration if officers are expected to continually progress in improving police service to the community.

*Bias-Based Policing Policies and Practices*

To determine departmental policy regarding bias-based policing, survey respondents were asked questions concerning bias-based policing policies and the distribution of such a policy, should one exist. Survey respondents were also asked a series of questions regarding their beliefs about the prevalence of bias-based policing practices.

First, officers were asked if their department has a written policy that addresses bias-based policing issues (question 17). In response to this question, 59.7% answered "yes", 8.7% answered "no", 29.9% indicated that they did not know, and 1.8% failed to answer the question. The responses of respondents at different levels in their organizations were somewhat different. While 56.2% of Officers indicated that their department has a written bias-based policing policy, 72.4% and 70.1% of Mid- and Senior-Level Management, respectively, indicated that their department has a written policy. Significant differences were found between entry level and both levels of management ($p<.000$). Given the importance of this issue, the need to provide clear guidance to department personnel on this subject, and the potential repercussions for

officer misconduct, it is imperative that all departments have a clear policy and provide appropriate in-service training to ensure that officers are familiar with department standards. It is also important that the department take the time to develop policies relevant to their specific department. Too often departments obtain a copy of a policy from other departments or an organization like the International Association of Chiefs of Police (IACP), they put their name on it and they take no further action. These policies are adopted, but there is no real assimilation into the organization.

There are two interesting conditions presented in the response to this question: (1) almost 30% of officers responding did not know if a written bias-based police policy existed. In truth of fact, not knowing if a policy exists is tantamount to not having a policy; and (2) it is clear that line officers, those responsible for following policies in the actual performance of police duties, were less aware of whether a written bias-based police policy existed than were their commanders. This condition suggests that a more conscious effort on the part of a large percentage of departments must be extended to ensure that officers know that a policy exists and perhaps more importantly that officers understand the policy.

Second, when asked to report how their department makes their bias-based policing policies known to departmental members (question 18), 45.6% responded "through training", 20.3% by distribution of the policy with officer signature as proof of training, 11.8% indicated that no method was used, 11.3% indicated that their department had no written policy, and 10.9% failed to answer the question.

It is not uncommon for departments to rely on the distribution of newly formed policies to officers requiring their signature that attests that they have read and understand the policy. Unfortunately, this is a poor standard of "training" and, as a method of "training", totally insufficient. However, this method is often used because it is fast, easy, incurs little or no upfront cost to the department, and presents the department with a perceived "safe harbor". What is meant by a perceived "safe harbor" is that the department can say that they have trained the officers and that they have the officers' signatures to prove that they have read and understand the policy as provided them. The department can also say

that the officer had every opportunity to question supervisors about the policy should they have needed further explanation. The reality is, however, quite different. Officers think that they understand the policy, but do not. Officers do not understand the policy and ask supervisors who are equally confused and cannot provide the correct answers because they, too, have only read the policy and signed the statement saying that they understood; however, when questioned about specifics and possible options or meanings managers, too, are unclear. What's required is actual training where the instructor is fully conversant with the policy's intent and practical applications. Anything less than a responsible training regime does not fulfill the fiduciary responsibility the department has with either its officers, or the citizens they serve. Attorneys for the plaintiff understand this responsibility quite well.

To assess the presence of bias-based policing, officers were asked if they believed that bias-based policing is presently practiced by any officer(s) in their department (question 28). Twenty-one percent answered "yes", 45% answered "no", 32% answered "unknown", and 1.4% failed to answer the question. Of those answering the question, 18.6% of White officers, 37.1% of Black officers, and 26.1% of Other officers answered affirmatively. The difference between White and Black officers and White and Other officers were significant ($p<.013$). Additionally, responses differed according to rank with 21.9% of Officers, 15.3% of Mid-Level Management, and 29.9% of Senior-Level Management answering "yes." The differences between all three levels of management were significant ($p<.033$). Conversely, officers were also asked if they believed that bias-based policing was practiced by individual officers in *other* Virginia police departments (question 31). In response to this question, 25.9% answered "yes", 12.5% answered "no", 59.9% indicated that they did not know, and 1.7% failed to answer the question. By race, officers responded differently with 24.4% of White officers, 37.6% of Black officers, and 23.2% of Other officers responding affirmatively to this question. The responses of Black officers differed significantly from both White officers and Other officers ($p<.000$ and $p<.002$). Responses to this question differed somewhat by rank as well, with 25% of Officers, 27.6% of Mid-Level, and 29.9% of Senior-Level Management answering positively. These findings are noteworthy. Of particular interest is the large percentage of senior-level managers

who believe bias-based policing occurs. This suggests the need for identification of potential bias-based policing actions. The most common method to detect bias practices is an assessment of outcomes of traffic stops or field interviews. However, these methods are easily skewed by officer actions to ensure they are not identified as participating in bias policing practices. It might be necessary to develop other techniques that do not involve officer self-reports, similar to early warning programs that help to identify officers with a propensity for violence. Such an unobtrusive system would track total behaviors not simply one or two types of police actions.

Additionally, when asked if they had ever witnessed bias-based policing activities by other officers within their departments (question 29), 15.1% of respondents indicated that they had witnessed such behavior, 82.9% indicated that they had not, and 2% failed to answer the question. This finding suggests that bias-based policing practices are present, as perceived by officers, to some degree in some Virginia police departments. White officers reported witnessing bias-based policing activities less often than minority officers with 12.4% of White officers answering affirmatively compared to 32.6% of Black officers and 20.3% of Other officers. The difference between White officers and both Black and Other officers was significant ($p<.000$ and $p<.032$ respectively). By rank, responses did not differ as much with 15.6% of Officers, 12.2% of Mid-Level Management, and 14.9% of Senior-Level Management answering "yes" to this question.

When asked to assess the extent to which bias-based policing is an issue for their department (question 30), 19.2% of officers reported that it is "somewhat of an issue" and 2.1% reported that it is "a serious issue". Therefore, a combined total 21.3% of respondents indicated that bias-based policing was at least somewhat of an issue for their department. Seventy-six point one percent indicated that bias-based policing was not an issue for their department. By race, responses to this item differed considerably. Of those who indicated that bias-based policing was "somewhat of an issue" or "a serious issue" for their department, 16.4% were White, 53.3% were Black, and 29% were Other. The difference between White officers and both Black and Other officers indicating bias-based policing was "not an issue" and "some what an issue" was significant ($p<.000$). According to rank, responses to question 30 varied somewhat. Approximately 19% of Officers, 17% of Mid-

Level Management, and 29.9% of Senior-Level Management indicated that bias-based policing was "somewhat of an issue." Only the difference between Mid- and Senior-Level Management was significant ($p<.05$). The clear finding from the responses to these questions is that there is a bias-based policing problem. The true extent of the problem appears obfuscated by race, but perhaps what is more concerning is that approximately 30% of the Senior-Level Management view bias-based policing as a problem.

The responses collected in the survey were somewhat consistent with the findings obtained by the researchers during the police focus group meetings. Officers believe that bias-based policing does take place occasionally and that, in the past, it occurred far more frequently than it does presently. Further, officers in focus group meetings did not feel that such behavior was supported by the department in any manner. However, responses to the officer questionnaire bring this perception into question. Officers are grounded in reality and they have a unique understanding of their profession and the pressures that they must face on a regular basis. They also understand that, at times, an officer could well make a bias-based decision and could or could not be aware that it is bias-based. Interestingly, during one of the police focus group meetings with supervisors, a senior researcher asked directly, after about thirty minutes into the discussion, "Do officers on your department practice bias-based policing?" The first response from a supervisor was, "You don't think we would tell you if there was do you?" The senior researcher responded, "You already have on several occasions in the last few minutes." Officers and command personnel are very sensitive to this issue, they generally do not want to support such behavior, but they also realize that it can and does occur, and that it is often difficult to identify or prove. They also realize that, while they report in public that bias-based policing is not officially sanctioned, some officers will practice such behavior if they can get away with such behavior. This leads to the need for appropriate methods to identify and appropriately deal with such unacceptable behavior.

When survey respondents were asked if they were aware of officers being held accountable for bias-based policing practices (question 22), 81.7% answered "no", 16% answered "yes", and 2.3% failed to answer the question. Furthermore, 94.9% reported that they were

not aware of anyone in their department being terminated for engaging in bias-based policing (question 23). Similar responses are seen across levels of management with 94.6% of Officers, 96.6% of Mid-Level Management, and 94% of Senior-Level Management answering negatively to this question. There are practical implications that help to bring light upon the previous officer responses. To begin, disciplinary proceedings are not discussed by the department publicly. There are personnel policies, privacy rights, and legal restrictions which the department must judiciously follow to ensure the accused his/her rights. Further, it is often unlikely that department personnel, who are not directly involved in such a proceeding, would be made aware of the outcome or, for that matter, even be aware that such an investigation was being conducted. In fact, officers often commented to the researchers that they had never been told what the outcome of a complaint against them for bias-based policing had been. Hence, what stands out is that department personnel report instances where they are aware of accountability and that terminations have occurred as a result of bias-based policing practices.

Survey respondents also were asked if they ever avoided taking necessary action because they are concerned that it would be perceived as bias-based policing (question 37). In response to this question, 76.1% responded "never", 19.2% responded "sometimes", 2.1% responded "always", and 2.6% failed to answer the question. This finding suggests that 21.3% of officers responding to the survey, at least sometimes, avoid taking action out of fear of such actions being perceived as biased. This is a desired outcome for some that believe that less enforcement reduces the abuse of the police toward minorities. In reality, however, such behavior can result in less protection for the public and/or variations in enforcement activities that would not be desirable. For example, is it good policy for officers to dramatically reduce traffic citations because of data collection requirements and/or for concern about being charged with bias-based policing? This, in essence, could become a form of reverse discrimination in that the officers would take action if the offender was not a minority. Twenty-one percent is a large percentage of officers who would avoid taking an action out of fear of such actions being perceived as biased. This suggests that agencies need to review policy and training pertaining to bias-based policing. What if the outcome is

that officers begin looking for people of certain races for whom to give traffic citations in order to ensure that their statistics represent the overall population? As policies are implemented, efforts have to be made to ensure that management will obtain the desired outcome. When examining the responses by race of the respondent, it appears that White and Other officers avoid taking necessary action due to concerns that it might be perceived as biased at a higher rate than Black officers. White officers and Other officers answered affirmatively 22.4% and 23.1% of the time as compared to 12.4% of the time for Black officers. It is noteworthy that officers who identified themselves as Other would report having the highest concern for being accused of being bias.

*Enforcement of Bias-Based Policing Policies*

To assess the enforcement of bias-based policing policies and activities, survey respondents were asked a series of questions. When asked to report the extent to which the administration of their departments enforced bias-based policing policies, 32.6% of officers reported that such policies were "somewhat" enforced, 35.8% reported that such policies were "vigorously" enforced, 4.2% reported that policies were "never" enforced, 15.3% reported that bias-based policing policies did not exist in their department, and 12.1% failed to answer the question (question 19). As a result, 68.4% of survey respondents indicated that bias-based policing policies were enforced to one degree or another in their departments. It is important to keep in mind that the respondents to this survey were police officers throughout the Commonwealth of Virginia representing the various ranks. While the respondents are reporting their perceptions, it must be remembered, that they are the very individuals charged with enforcing bias-based policing policies, or if such a policy does not exist in their department, they are still responsible for treating citizens fairly. We find ourselves in a position where 4.2% report that the policy is "never" enforced and 32.6% of the respondents suggest that the administration only "somewhat" enforces said policy. While those departments that vigorously enforce their bias-based policing policy are to be commended; those not vigorously enforcing their policy, or not having a policy, need to review their position and actively attend to this inequity.

Responses to this question varied by both race and rank. Over 70% of White officers

indicated that bias-based policing policies are enforced either somewhat or vigorously, while only 59.5% and 53.6% of Black and Other officers indicated these policies are both somewhat and vigorously enforced. Significant White and Black differences were found between "never" and "somewhat" ($p<.000$), "never" and "vigorously" ($p<.000$), and "somewhat" and "vigorously" ($p<.000$). Significant White and Other differences were also found between "never" and "vigorously" ($p<.001$) and "sometimes" and "vigorously" ($p<.001$). By rank, responses to this question also differed. Nearly 67% of officers indicated that these policies are being enforced, while 75.2% and 74.6% of Mid- and Senior-Level Management indicated they are being enforced on some level. Significant differences ranging from $p<.000$ to $p<.027$ were found between management and officers concerning this question. The fact that 36.8% of the respondents do not believe the policies are being vigorously enforced is a significant finding and suggests that management needs to address enforcement. Even more startling is the percentage of mid-level and senior-level managers that report that policies are not enforced.

Officers were asked to report whether or not their department had an early warning system to track and identify potential problems with an officer (question 20). An early warning system is an administrative device to track citizen complaints against officers and other forms of administrative actions. Command staff checks these records generally, on a quarterly basis, and if there is a need, officers are then counseled and tracked to ensure that potential problems are avoided or addressed early. In response to this question, 38.1% responded affirmatively, 16.9% responded negatively, 43.8% reported that they did not know, and 1.2% failed to answer the question. Results of this survey indicate that officers are less informed about early warning systems in their departments in comparison to Mid- and Senior-Level Management. Examination by rank indicates that approximately 34% of officers reported that their department had such a system, while 51.7% and 50.7% of Mid- and Senior-Level Management respondents, respectively, responded affirmatively. However, 51.4% of the Officers responding answered "unknown" to this question compared to 20.7% and 7.5% for Mid- and Senior-Level Management, respectively. These differences were significant with all chi-square statistics at the $p\leq.05$ level.

Officers also were asked if their department unofficially supported bias-based policing practices (question 21). While the majority of officers (54.3%) reported that their department did not unofficially support such practices, 12.9% reported that their department did, 30.9% did not know, and 1.9% failed to answer the question. Responses to this question differed somewhat by race with 12.1% of White respondents, 18% of Black respondents, and 14.5% of Other respondents responding affirmatively. The differences between White and Black respondents and White and Other respondents were significant ($p<.000$). Officers differed considerably from management in response to this question as well. Nearly 14% of Officers answered "yes" to this question compared to 11.2% and 7.5% for Mid- and Senior Level management, respectively. Significant differences were found between both officers and both levels of management ($p<.000$). The fact that 43% of the respondents either reported that their department unofficially supported, or that they did not know whether or not their department unofficially supported bias-based policing is of concern. This situation is further exacerbated by the fact that 18.7% of all levels of management felt that bias-based policing was unofficially supported. It needs to be perfectly clear to every officer in a department that bias-based policing is not tolerated officially or unofficially by the administration. Uncertainty on this issue in the minds of officers is providing a green light for such behavior.

When asked if they believed that any Virginia police department officially supports bias-based policing (question 24), 12.2% of responding officers answered "yes", 47% answered "no", 39.2% indicated that they did not know, and 1.7% failed to answer the question. Of those responding to the question, 11.3% of White officers, 19.1% of Black officers, and 10.1% of Other officers answered affirmatively. Significant differences between White officers and Black officers and White officers and Other officers were observed ($p<.001$). Management and Officers also responded differently to this question with 12.6% of officers answering "yes" compared to 10.2% and 13.4% of Mid- and Senior-Level Management. Significant differences were observed between officers and both levels of management ranging from $p<.000$ to $p<.013$. Again, the responses to this question indicate that a number of officers perceive, from their experiences, that bias-based policing does occur in the Commonwealth of Virginia. Furthermore, the fact that more officers believe

that there are Virginia police departments that officially support biased policing practices suggests that management may not be communicating effectively with the officers. In other cases, it is reported by managers at both levels that bias-based policing is officially and unofficially supported.

Police managers, reporting that they believe that bias-based policing is unofficially or officially supported in Virginia police departments, is of grave concern. It is sufficiently bad for officers to report such a perception; however, who more than managers would be aware of such failings? It is obviously crucial that police management ensure that bias-based policing is neither officially or unofficially supported or that such a perception would be held by anyone in their department.

During focus group meetings with officers, at no time did the officers indicate that bias-based policing was either unofficially or officially supported in their department. In fact, officers of all races, both male and female, insisted that while an individual officer might exhibit bias-based policing, there were no official or unofficial directives supporting such behavior. However, in the officer survey such support is identified by both officers and command staff. It is difficult to identify a specific reason or reasons for this variation in responses. A possible explanation might be that officers were uncomfortable admitting such factors in a public forum with their fellow officers. Certainly, the use of triangulation in the research methodology demonstrated its value in this instance.

Consequently, it is clear from these findings that the "one bad apple in the barrel" theory suggested by officers in the focus groups is not representative of what was reported in the police officer survey by all ranks. The issue of bias-based policing is far more complex and persistent than such a simplistic theory implies. Coming to this understanding forces decision makers to view the issue in a different light. It suggests that bias-based policing must be addressed in a comprehensive manner, and it clearly indicates that supportive planning and management systems are needed to address this issue properly. Bias-based policing can no longer be relegated to the arena of the one bad officer or rogue cop. The problem is pervasive throughout the Commonwealth and is inclusive of large cities, rural areas, and across jurisdictions. It is a problem regardless of the minority populations indicative to the

individual jurisdictions and notwithstanding the percentage makeup of populations within specific geographic areas.

As a non-supervisory police officer, survey respondents were asked what they would do if they witnessed an officer engaged in bias-based policing practices (question 32). In response to this question, 36.6% indicated that they would "talk to the officer", 20.1% indicated that they would "report the officer's behavior to a supervisor", 1.7% indicated that they would "ignore the incident", .4% indicated that they would "report the incident only if it occurs again", 12.9% indicated that they were "not sure" what [they] would do, 23% indicated that the question was "not applicable" because they were a supervisor, and 5.2% failed to answer the question. Responses to this question varied somewhat according to race. Of the White officers responding, 36.3% indicated they would "talk to the officer", 19.6% indicated they would "report the officer's behavior to a supervisor", 1.5% indicated they would "ignore the incident", and 12.7% were "not sure" what [they] would do. Of the Black officers responding, 38.8% indicated they would "talk to the officer", 21.3% indicated they would "report the officer's behavior to a supervisor", 2.8% indicated they would "ignore the incident", and 13.5% were "not sure" what [they] would do. Of the Other officers responding, 36.2% indicated they would "talk to the officer", 27.5% indicated they would "report the officer's behavior to a supervisor", 2.9% indicated they would "ignore the incident", and 14.5% were "not sure" what they would do. According to rank, the responses varied as well. Of the officers responding, 46.5% indicated they would "talk to the officer", 23.4% indicated they would "report the officer's behavior to a supervisor", 2.0% indicated they would "ignore the incident", and 16% were "not sure" what [they] would do.

When posed the same question (question 33), police supervisors responded in the following manner: 13.5% indicated that they would "counsel the officer", 5.4% indicated that they would "recommend the officer attend bias-based policing training", 11% indicated that they would "initiate a formal investigation", .3% indicated that they would "ignore the incident", 2.3% indicated that they were "not sure" what [they] would do, 59.8% indicated that the question was "not applicable" because they did not supervise, and 7.7% failed to answer the question. Of the White officers responding, 14.1% said they would "counsel

the officer", 5.1% said they would "recommend training", 10.9% said they would "initiate an investigation", 0.2% said they would "ignore the incident", and 2.1% said they were "not sure" what [they] would do. Of the Black officers responding, 10.7% said they would "counsel the officer", 7.9% said they would "recommend training", 12.4% said they would "initiate an investigation", 0.6% said they would "ignore the incident", and 3.4% said they were "not sure" what [they] would do. Of the Other officers responding, 10.1% said they would "counsel the officer", 4.3% said they would "recommend training", 8.7% said they would "initiate an investigation", 2.9% said they would "ignore the incident", and 1.4% said they were "not sure" what [they] would do. The difference in White and Other officer responses was significant when comparing "ignoring the incident" to "taking any action" with the *p*-value ranging from .000 to .001. Mid-Level and Senior-Level Management were somewhat consistent in their responses. Of Mid-Level Management responding, 25.9% said they would "counsel the officer", 10.5% said they would "recommend training", 38.4% said they would "initiate an investigation", and 2.7% said they were "not sure" what [they] would do. Differences between Mid- and Senior-Level Management responses were significant ($p<.011$) only between those indicating they would "initiate a formal investigation" and "ignore the incident".

Perhaps the following explanation will help to clarify the officers' responses to this question to some extent. In discussions with street officers, they reported that their perception of the enforcement of bias-based policing policies was dependent upon "who" the violator was. If the officer violating the policy was "in" with the right people (i.e., command staff) his/her actions could be ignored. However, if the officer was not "in" with the right people, he/she would be more likely to have a policy enforced against him or her. This is a simplistic statement given by officers, which does not truly address the complicated issue of the human aspect of policy enforcement. However, it does begin to provide insight into how the human element influences policy enforcement.

According to officers, the above policy enforcement scenario could also hold true among street officers themselves regarding whether they would report the bias-based policing behavior of a colleague. Essentially, if their colleague was a well liked member of the

department, officers would be less willing to report a bias-based policing violation. Officers understand that anyone can slip once, and the feeling is that they should not condemn a colleague for a "minor" single slip. Of course, how "minor" or "single" is defined can vary greatly. Every officer has a working understanding of the fact that they could easily find themselves making an error, and, thus, they are tolerant of such slips. On the other hand, if an officer continually and blatantly violates bias-based policing or other policies of the department, which would be considered serious infractions, that officer's favored status might well not continue. Any officer that continually puts his/her fellow colleagues at risk of supervisory action would generally not be tolerated among the ranks for any length of time. Interestingly, in the milieu of human interaction the scale by which a colleague's questionable behavior is measured could be very narrow or broad. Simply stated, how long will colleagues and/or administrators allow policy infractions to continue before they will take action? From officer responses to questions 32 and 33, the range is broad, not narrow, and efforts by administrators should be to narrow that range. The range of acceptance is narrowed through good policies, clear guidelines, and the enforcement of bias-based policing policy.

Certainly, such selective enforcement of a department policy sends mixed signals and is counterproductive to department integrity and the idea of equally applied standards. Further, such a perception degrades the value of such a policy and can lead officers to feel that the bias-based policing policy is not fully supported by the department's administration or the officers. More to the point, the policy can be seen by officers as merely a mechanism to punish officers that the administration wants to come down on for some given, yet unrelated, reason. Non-enforcement can also be used as a means to control others and could be seen as: I have done you a favor and you owe me, or you did not enforce the policy and I know that you did not enforce the policy and you better not bother me or I will report you. Clear standards and enforcement procedures are essential if game playing is to be avoided and bias-based policing is to be successfully addressed.

The fact that there is disagreement between what officers and managers would do if they saw an officer engaged in bias-based policing behavior is problematic. When discussing this issue with officers and command staff it was

apparent that circumstances surrounding the incident would direct their response. However, in any circumstance where a manager suspects bias-based policing behavior, contact with the officer in question is the minimal response that should be expected. Once a commander has assessed the facts of the incident, he/she should then determine if further action should be taken. As one mid-level supervisor succinctly stated: "If you don't address the issue and the officers know that you ignored it, you have just bought the problem. Officers then have something on you and you will have a difficult time enforcing policies from then on."

A second important issue is officers and command staff who report that they would do nothing. This is unacceptable behavior on the part of officers and command staff. Departments need to make it clear what actions should be taken whenever an officer or commander observes behavior that they believe is biased. Further, it is important that officers and command staff know what actions they are to take. "Not sure what I would do" is not an acceptable answer. Training, including situational training, should be incorporated into the training regime for both officers and command staff to ensure that they know what they are to do and to encourage them to assist the department in dealing with such issues.

In an effort to determine officers' beliefs regarding the treatment of minority individuals by minority officers, officers were asked if they believed that minority officers are more fair in their dealings with minorities (question 34). In response to this question, 11.3% answered "yes", 59.6% answered "no", 27.7% indicated that they did not know, and 1.4% failed to answer the question. Of those responding, 7.3% of White officers, 37.1% of Black officers, and 18.8% of Other officers believed minority officers are more fair in their dealings with minorities. Significant differences between all three racial categories were found in response to this question with *p*-values ranging from .000 to .002. Comparing responses by rank reveals that 11.6% of Officers, 8.8% of Mid-Level Management, and 13.4% of Senior-Level Management believed that minority officers are more fair in their dealings with minorities. The difference between Mid-Level Management and Officers was significant ($p<.009$). The fact that 13.4% of the Senior-Level Management believe minority officers are more fair in their treatment of minorities suggests at least a training problem

and perhaps the existence of a bias-based policing practice.

If a bias-based policing claim had ever been filed against a survey respondent, he/she was asked to report the outcome of such a claim (question 36). Not surprisingly, 86.4% of officers reported that they had never had a complaint filed against them for bias-based policing; 2.1% indicated that they had not heard the outcome of a claim filed against them; .8% indicated that the claim was founded; and 7.4% indicated that the claim was unfounded. By race, respondents answered this question somewhat the same with 86.5% of White officers, 85.4% of Black officers, and 87% of Other officers indicating that they have "never had a complaint filed against them."

This data suggests that the majority of officers have not had a bias-based policing complaint filed against them and that only a small minority have had such charges founded. This is very positive; however, in discussions with citizens during the focus group meetings, they reported concerns. Those concerns revolved around the complaint process itself. Many had no idea how to file a complaint. They reported that having to go into the station to file the complaint discouraged such efforts, and they reported that they were afraid of repercussions if they did file a complaint. Departments that have not already done so, need to provide citizens a means to file complaints without encountering barriers or fear of reprisals. This not only sends a clear signal to residents, but it also gives officers pause in knowing that complaints can be easily filed against them for their actions. This might well increase the number of bogus complaints against officers, but in such circumstances it would be advisable to err on the side of caution.

### *Bias-Based Police Data Collection and Distribution*

Currently, the practice of collecting bias-based policing data is not widespread. Therefore, to obtain Virginia police officers' perceptions of this practice, officers were asked if they believed that police should collect such data (question 40). The majority of survey respondents (53.9%) indicated that they did not believe that police should collect bias-based policing data; 29.6% indicated that they believed that the police should collect such data, 14.5% indicated that they did not know, and 2% failed to answer the question. Of those answering the question, 26.9% of White

officers, 50.6% of Black officers, and 26.1% of Other officers answered "yes." The responses of Black officers differed significantly from both White and Other officers ($p<.001$). Officers, Mid-Level Management, and Senior-Level Management differed somewhat in their responses. Of those answering the question, 27.4% of Officers, 35.7% of Mid-Level Management, and 41.8% of Senior-Level Management answered affirmatively to this question. Significant differences were found between Officers and Mid-Level Management ($p<.001$) and Officers and Senior-Level Management ($p<.039$).

As discussed earlier, the issue of data collection is not well decided at present. Certainly, various groups strongly encourage data collection. Consent decrees have required such efforts, resulting in some states, such as Texas, to have passed legislation requiring the collection of data to help evaluate police bias. Additionally, the federal government requires federal agencies to collect such data. How the data should be collected, appropriate safeguards to ensure accuracy, and research plans have not, generally, been established. Importantly, part of the collection process will have to address the cooperation of police officers. Realistically, it can be expected that police officers will take actions to ensure that they are not perceived as biased. As an example, officers could reduce their enforcement activities, or they could keep track of citations they write and the race of the persons they have issued citations in an effort to adjust their enforcement activities to meet racial balancing criteria. The pitfall of such a state is that it is likely to be more racially biased than present practices. Further, the data suggests that only 29.6% of the respondents support data collection efforts. Hence, from the data it could be surmised that almost 70% of the officers would need encouragement in accepting such a requirement. From our discussions with police officers in Virginia, the reservations they expressed include cost, the time it will take for officers to collect and transcribe the data, how the data will be collected, how the data will be used once collected, whether data will be collected and reported by individual officers or in aggregate form, how the media will sensationalize the information, and if the data will be analyzed correctly. In an effort to implement bias-based policing data collection project such concerns should be addressed by a broad-based planning committee, that includes citizens, and be effectively communicated to department personnel and the public. It is crucial that

officer buy-in be addressed and obtained to ensure the accurate representation of actual police enforcement activities. This can be accomplished through training, administrative oversight, and the use of unobtrusive data collection processes.

The researchers believe that forced data collection will result in inaccurate data. Officers know the repercussions of the collection of data that reflect negatively upon them or, in any way, suggest their actions might be biased. If data collection is to be undertaken, it must occur through a variety of data collection points. Citations and Field Interview Reports are too obvious. Instead, agencies should consider assessing the police officer's actions, examining the types of arrests that officers are making by race, the types of crimes the officers are making the arrest for, and the quality of the arrest. Patterns are identifiable. As an example, in arrests where officers use force, is there a pattern of race associated with the use of force? Are the arrests good arrests or is the basis for the arrests suspect (e.g. a questionable reason for a car stop that leads to an arrest coupled with violence)? Is there a pattern to this kind of arrest associated with the officer or group of officers? Other similar tests can lead to patterns of biased policing, which is a much more relevant assessment of biased policing practices than contrived data collection practices that are easily defeatable by the data collectors (i.e., officers, themselves).

When asked if they believed that the police openly shared information with the public (question 41), 63.3% responded affirmatively, 20.3% responded negatively, 14.9% indicated that they did not know, and 1.4% failed to answer the question. A greater percentage of White officers (66.5%) answered "yes" to this question in comparison to Black officers (47.8%) and Other officers (43.5%). Significant differences were found between White officers and both Black and Other officers ($p<.000$). In terms of rank, Officers responded to this question quite differently in comparison to Mid- and Senior-Level Management with 59.7% of Officers, 75.9% of Mid-Level Management, and 74.6% of Senior-Level Management indicating that they believed the police openly shared information. Officers' responses differed significantly from management in response to this question ($p<.038$).

The police in Virginia believe that departments are relatively open with the public on subjects

in which information can be and should be shared. Of course, open cases, the distribution of legally protected information, or other organizational information that should not be shared with the public is not openly communicated. Detractors to this question, as suggested from the officer focus groups, do not feel that police departments are as open as they should be, nor that they are as responsive to citizen issues as they could. It is important to note that a majority of officers believe that the police are open with the public. If departments are to best address the problems of bias-based policing and other issues in the community, it is essential that they have or develop strong community interaction and support. This can be accomplished only if the department actively engages members of the community and includes them in their decision-making process when possible. Having such a high percentage of officers reporting that they do feel that the police are open to the communities is a very positive sign and only adds to the expectation that the police and citizens can effectively address such community problems as bias-based policing.

When questioned about the media's distribution of bias-based policing information (question 42), 77.3% of officers indicated that they did not believe that the media honestly portrays bias-based policing incidents, 7.3% indicated that they did, 14.1% indicated that they did not know, and 1.4% failed to answer the question. White and Other officers were less inclined to believe that the media honestly portrays bias-based policing incidents compared to Black officers. Only 6.5% of White officers and 4.3% of Other officers answered affirmatively, while 14% of Black officers answered similarly. The responses of Black officers compared to both White and Other officers were significantly different ($p<.000$ and $p<.042$). Officers and management were in concert regarding this item with 7.3% of Officers, 7.8% of Mid-Level Management, and 6% of Senior-Level Management answering "yes" to this question. Consequently, when asked if they believed that the police department should hold the media and other members of the community responsible for the dissemination of misinformation (question 43), 81.7% answered "yes", 6.4% answered "no", 10.4% indicated that they did not know, and 1.4% failed to answer the question.

A concern expressed by a number of police officers during focus group meetings was the lack of accountability that the press and citizen

activists are subject to when they report "facts" incorrectly. A concern expressed by many officers was that citizens and the media should be held to the same standard to which they hold the police regarding the information that they broadcast. These feelings of inequitable accountability present themselves in a variety of ways in discussions with the police. Essentially, officers generally feel that often the media and activists jump to conclusions, inaccurately present "facts", and then when they are proven to be wrong, they neither recant their statements, or inform the public of the misinformation. These feelings impact officer attitudes toward police collecting data, how the data will be presented, and if the data will be scientifically and fairly evaluated.

### *Police Officers Working Cooperatively with the Community*

To assess police officers' perceptions of their interactions with the community, officers were asked if they believed it is possible for members of their community to honestly and openly discuss racial issues (question 44). Although the majority of respondents responded favorably (56.4%), 27.1% reported that they did not believe it was possible, 15% indicated that they did not know, and 1.5% failed to answer the question. This finding points to 42.1% of Officers suggesting that racial issues were not readily discussed in their communities. By race, the percentage of officers who believe it is possible for members of the community to honestly and openly discuss racial issues was roughly the same with 56.4% of White officers, 56.2% of Black officers, and 56.5% of Other officers answering affirmatively. Although the percentage of affirmative responses by rank differed somewhat with 54.6% of Officers, 62.2% of Mid-Level Management, and 62.7% of Senior-Level Management answering "yes," this difference is not significant.

The responses to this survey question by police officers represent a double-edged sword. The good news is that the majority of police officers completing the questionnaire in the Commonwealth of Virginia believe that honest discourse within the community can occur. Conversely, only 27.1% of the respondents to this question believed that honest and open discourse cannot exist and 15% were not sure. This indicates hope and possibility, as well as a feeling of community among many police officers. On the other hand, it is clear that continued effort in working with officers toward the objective of improving open and

honest discourse with the community is needed.

From our discussion with officers, it became clear that often when officers indicated that honest communication was not possible with the public, they were not criticizing the police, but citizens. In their minds, the communication was not possible because of some citizen activists, who thought of themselves and/or were seen by the community as leaders, were behaving unreasonably. The feeling was that some activists merely wanted to create tension, fear, and conflict because it was in that environment that they gained legitimacy and prestige. Certainly, community activists did not hold such a view. The important point, however, is perception and the need to address this underlying feeling as departments and citizens move toward a resolution for bias-based policing.

A large number of officers hold little hope for honest and open discourse. In our experiences with both citizen and police focus groups, individually and collectively, we found that forthright discourse could occur; however, this takes us back to our earlier section entitled, "Backdrop to Police Bias." Point number three was that Whites, Blacks, and Others are not listening to one another. The first step to attaining honest discourse is listening, but more must follow if progress is to occur. Further, while minority citizens are often quite vocal about their experiences with the police, expressing deep feelings of embarrassment, humiliation, and mortification, to the point of tears, Whites often cannot relate. The circumstances related by Blacks and Others are seen by many Whites as aberrations, one-time occurrences, bad luck, that the person is too sensitive, and/or that the reporter of these events does not understand why officers must be cautious, brusque, and controlling in street encounters. Of course, there is truth and fiction to both positions; however, there are things that the police and the community can do to help overcome these problems and differences in perception and reality. There is much that needs to be done to bring these two positions to a middle ground of understanding. However, simply knowing that this difference occurs provides us with insight to address such issues and enable us to move forward with workable solutions.

Additionally, in observing citizens during the focus groups, watching eyes roll, body movements, and hearing comments in

undertones, it was obvious that some Whites and Blacks had tuned out. This is not to say that all had tuned out, but there was selective hearing occurring among Whites, Blacks, and Others. However, it was obvious to an observer that some simply did not accept opposing complaints, concerns, or positions that were raised. This issue of tuning out and ignoring the perceptions of others must be addressed and dealt with as well.

Some White officers, for example, would simply say, "They should just get over it." A well trained facilitator can help to surmount these issues and assist the department in overcoming such common communication problems found among diverse groups attempting to unite on a common issue.

An important corollary to the issue of listening and hearing is that much of what occurs or does not occur between people is conducted at a *sub rosa* level, which simply means that we have to connect at a verbal level. But more importantly, we must connect at a mental level as well. We can discuss issues, be honest, and say that we want change, but know inside that this is not going anywhere because we really disagree and have not come to an acceptable resolution in the minds of the individual participants. Hence, in the end, we will do nothing or worse, we will sabotage attempts to move ahead because in reality, despite what might have been said, we do not agree, and/or those responsible for the implementation of the plan are not included and have not bought into the decision. Again, professional assistance, at least during the early stages of the process, can greatly assist departments in overcoming such common problems of group interaction and decision making.

When asked if they believed that their police department, in cooperation with the citizens of the community, would be able to develop workable solutions to address a problem with bias-based policing (question 45), 70.7% of respondents responded favorably. Similar to the preceding question, 17.6% of officers responded that they did not know, and 9.6% indicated that they believed it would not be possible, resulting in 27.2% of the officers reporting that did not readily believe that such cooperation regarding the issue of bias-based policing was possible. By race, White and Black officers were more optimistic than Other officers with 71.5% of White officers, 71.3% of Black officers, and 55.1% of Other officers answering affirmatively. The responses of Other officers differed significantly from

Whites ($p$<.006) and Blacks ($p$<.009). By rank, responses to this question were markedly different with Officers being the least optimistic (67.8% responding yes), followed by Mid-Level Management (79.3% responding yes), and Senior-Level Management (89.5% responding yes). The responses of officers differed significantly from those of management ($p$<.001).

Having such a high positive response to this question was not surprising for the Commonwealth of Virginia. The researchers discovered numerous programs in various police departments where efforts were being made to resolve community-related problems. However, it is obvious that many officers do not feel that these efforts are successful. From discussions with police officers, it was clear that to some, no matter what the department did, citizen groups would never be happy. This feeling was strong among officers who expressed such a perception when they spoke of working with minority communities. Some officers showed a great deal of frustration in what they perceived to be a double standard, or an inability of members of minority communities to decide what they wanted. To paraphrase what the researchers heard during many officer focus groups, "The minority community asks us to come into their neighborhoods and deal with the drug and crime problem. We come in, patrol, stop people, and make arrests and then they are mad and complaining because we do what they asked us to do."

Minorities consistently stated, during the focus group meetings, that they did want officers doing their job to protect them in their neighborhoods. The overriding issue was that officers were rude and demeaning to residents while they were there. Often times during our conversations with these minorities, they could not point to an actual biased police action. They could only state that the officers were rude or arrogant. Minority citizens indicated, as addressed earlier in the report, that they felt utterly humiliated by officers during their interactions with them. Black citizens understood the dangers of policing, but they saw no reason to be belittled and were often left with the impression that they had been profiled. Certainly, not every minority had such an experience, but this theme was sufficiently strong to suggest that departments need to better address this issue if police and citizen relations among minorities are to improve.

In general, officers believe that outreach to the community is of great importance in dealing with bias-based policing and other issues. This is not surprising given the fact that many departments in Virginia have adopted community-based policing as their overall policing strategy. Citizens also supported such efforts by their police departments; however, they wanted to see more such work. What was also interesting was the fact that those who felt disenfranchised believed that nothing was truly being accomplished by the police in their outreach efforts.

Many minority citizens in the citizen focus groups demonstrated extreme frustration toward the police. Essentially, conditions had not sufficiently changed and the same old problems of bias existed in one form or another from their perspective. There were a number of reasons suggested by citizens and the police in the focus groups to explain this disconnect. Some members of police focus groups, as noted previously, quite bluntly believed that some citizen activists exaggerated incidents in order to gain media attention, bolster their egos, increase their following, and elevate their perceived positions of power in the community. In combination with this explanation, some police believed that some activists, no matter what the police tried to do, would never be satisfied. The problems might never be resolved because it was not in the interest of the activists to see them resolved. In some instances, citizens truly believed that police are racially biased and the actions taken by police were biased. There is nothing that can be said to dissuade that belief. It was frequently stated that the media often does little more than exploit incidents for their own benefit. In one police focus group, the researchers were informed that local television news reporters clandestinely followed the police for several days to find incidents of police bias. Having discovered none, they decided not to run the report. When the police discovered what had occurred and complained to the local television network for not running a positive story, the local television network relented and ran a "brief" report on their investigative efforts.

Police demonstrated frustration because they felt that many citizens simply did not understand legal criteria that the police must follow, policies in place, and that no matter what they tried to do someone would complain. The police were concerned as to the way in which drug dealers and others were using bias-based policing arguments as a red

herring to obstruct the legal process in addressing the crimes that they had committed.

It is beyond the scope of this project to determine the actual validity of these positions. However, perception is reality and these beliefs do exist in the minds of citizens and the police. Whether actually true or not, these beliefs must be understood to exist and addressed by communities during the process of reform. Communication and understanding between and among citizens and the police is key to reform and improvement. Moreover, it is a community effort in which the police, government officials, and community members must work cooperatively. However, it must also be understood that nirvana will never be achieved. Responding to the various needs of a community is a process not a destination. There will always be needs, mistakes, and shortcomings.

## Summary

In summary, analysis of the overall police officer survey data suggests that roughly half (55.9%) of the officers received bias-based policing training in the academy and 78.1% of surveyed police departments offer such training. Although it is very promising that the majority of officers have this valuable training available to them, officers also reported having limited knowledge of the frequency and requirements of training within their departments. All officers should receive training on bias-based policing with periodic follow-up training to ensure officers are abreast of the latest practices in this area.

It is also promising to uncover that the majority of police officers (59.7%) reported that their department had a written bias-based policing policy and 65.9% reported that it is distributed in some manner (i.e., through training or by the distribution of the policy with officer signature as proof of training). The Commonwealth of Virginia would benefit from ensuring that 100% of their officers receive proper bias-based training and that written policies are developed and appropriately distributed. Sixty-eight point four percent of officers reported that their departments' bias-based policing policies are at least "somewhat" enforced. This suggests that efforts be made to ensure that all departments in the Commonwealth of Virginia strongly enforce bias-based policing policies.

Areas of concern include the percentage of officers (21%) reporting that they believe officers in their department currently practice

bias-based policing and the 15% of officers reporting that they witnessed such behaviors. Moreover, 21.3% of officers reported that they believed bias-based policing was "somewhat" or "a serious" issue for their department, and 25.9% of officers reported that they believed that bias-based policing is practiced by officers in other Virginia police departments. This data suggests that officers and managers in Virginia believe that bias-based policing is occurring regardless of the current training and administrative efforts presently being made.

In addition, another area of concern centers on police officers of different races and ranks holding, in some cases, drastically different perspectives on the issue of bias-based policing. For example, only 25.9% of White officers believed more bias-based policing training should be required in their departments while an overwhelming 72.5% of Black respondents and 43.5% of Other respondents believed more training is necessary. This exemplifies not only a difference of opinion, but also a difference in the way policing practices are viewed by people of different races. When asked if bias-based policing was a problem for their departments, only 15.2% of White respondents believed it was at least "somewhat" of an issue, while 46.6% and 23.2% of Black and Other respondents believed bias-based policing was an issue in their departments. In regard to both questions, the differences between responses all proved to be significant.

Not only do the minority races believe more regularly that bias-based policing is an issue, but they also believe, more frequently, that bias-based policing is unofficially supported by their departments and that minority officers handle issues with the minority population more fairly. Significant differences were found between all three racial categories in response to these questions. A possible cause for this might be the fact that 42.1% of officers believed that racial issues are not openly discussed in their communities. This lack of communication could be contributing to the widespread difference of opinions between the races. Perhaps if communication was improved, common ground could be reached between White, Black, and Other officers as well as community members.

In addition, Officers, Mid-Level Management, and Senior-Level Management also differed significantly in their responses to questions regarding bias-based policing practices and policies. From the data, we see communication could also be a problem for

department managers and officers. Significant differences were found between all ranks of officers and management when asked if the department had a written policy on bias-based policing and if supervisors were required to attend training to assist them in identifying officers and staff who might be engaging in these bias-based policing practices. It seems as though officers are not as well-informed as the managers and simply do not know as much about the issue of bias-based policing practices within their departments.

Although these differences exist between officers of different races and ranks, it can be seen that the outcome is promising for the Commonwealth of Virginia to improve their knowledge, training, and application of bias-based policing strategies. Communication between the races can be strengthened and officers can become more informed on the issue, if more extensive training that centers on open discussions and honest evaluations is implemented. The next step would be to educate the public, especially the minority communities, as well as put their newfound guidelines into practice where they are not already making such an effort.

## *ANALYSIS OF URBAN AND RURAL POLICE DEPARTMENTS*

As described in the Research Methods section, 3,437 surveys were sent to officers in seven urban police departments. A total of 1,265 surveys were returned from the seven departments resulting in a 37% response rate. The number of officers in urban departments ranged from 121 to 807. The number of surveys returned from any one urban department ranged from 90 to 303. Due to the lack of racial information provided on 32 of these surveys, only 1,233 survey responses were included in the data analyses described in this section.

Forty-four rural police departments were sent a total of 773 surveys for distribution to their officers. Three hundred and twenty eight surveys were returned from 24 of the 44 rural departments, resulting in a 42% officer response rate. The number of officers in rural departments ranged from 5 to 169. The number of surveys returned from any one department ranged from 1 to 35. Due to the lack of racial information provided on seven of these surveys, only 321 survey responses were included in the data analyses.

Analyses were run on various police officer survey items to reveal any differences in responses from officers in urban departments compared to officers in rural departments. What follows is a description of those analyses categorized by survey item themes.

## Demographics

Of the 1,233 urban survey respondents used in the data analyses, 87.8% were male and 12.2% were female. The racial composition of the urban departments included 83.2% Whites, 11.6% Blacks, and 5.2% Others. Officers in the urban departments reported their age in ranges of 18-39 (58.7%), 40-59 (39.7%), and 60 and above (.7%), while .8% did not report their age. The highest levels of education attained by the urban officers responding to the survey include 1.3% who reported receiving a General Equivalency Diploma (GED); 9.5% who reported receiving a high school diploma, 29.3% reported completing some college, 17.8% reported receiving an associate's degree in the arts or sciences, 36.4% reported receiving a bachelor's degree in the arts or sciences, 4.7% reported receiving a master's degree in the arts or sciences, .6% reported receiving a Ph.D., and .3% did not report their highest level of education.

Three percent of urban officers indicated their rank as that of Senior-Level Management (i.e., Chief, Deputy Chief, Major, and Captain), 17.4% indicated a rank of Mid-Level Management (i.e., Lieutenant and Sergeant), and 79.3% indicated a rank at the Officer Level (i.e., Corporal and Officer).

The urban police survey respondents reported their current assignments as administration (6.9%), investigation/detective (27.3%), patrol (47.2%), patrol support (7.9%), training (2.5%), planning and research (.4%); crime analysis (1.3%), crime prevention (5.7%), and .7% of the urban officers who completed the survey did not indicate their current assignments. Furthermore, 19.2% of urban respondents reported serving in their current departments 0-3 years, 14.3% reported serving in their current departments 4-6 years, 16.9% reported serving in their current departments 7-10 years, 15.4% reported serving in their current departments 11-15 years, and 34.1% reported serving in their current departments 16 or more years.

Of the 321 rural survey respondents included in the data analyses, 82.5% were male and 17.5% were female. The racial composition of the rural departments included 87.5% Whites,

10.9% Blacks, and 1.5% Others. Officers in the rural departments reported their age in ranges of 18-39 (56.7%), 40-59 (39.9%), and 60 and above (2.2%), while 1.2% did not report their age. The highest levels of education attained by the rural officers responding to the survey include 2.2% who reported receiving a General Equivalency Diploma (GED); 27.7% who reported receiving a high school diploma; 39.3% reported completing some college; 15.9% reported receiving an associate's degree in the arts or sciences, 12.1% receiving a bachelor's degree in the arts or sciences; 1.6% receiving a master's degree in the arts or sciences; and 1.2% did not report their highest level of education.

Nine percent of rural officers indicated their rank as that of Senior-Level Management (i.e., Chief, Deputy Chief, Major, and Captain), 24.6% indicated a rank of Mid-Level Management (i.e., Lieutenant and Sergeant), and 64.5% indicated a rank at the Officer level (i.e., Corporal and Officer).

The rural police survey respondents reported their current assignments as administration (11.2%), investigation/detective (14.3%), patrol (43.3%), patrol support (2.8%), training (.3%), crime analysis (1.9%), crime prevention (20.6%), and 5.6% of the rural officers who completed the survey did not indicate their current assignments. Furthermore, 25.5% of respondents reported serving in their current departments 0-3 years, 24.6% reported serving in their current departments 4-6 years, 18.7% reported serving in their current departments 7-10 years, 11.5% reported serving in their current departments 11-15 years, and 19.6% reported serving in their current departments 16 years or more.

Overall, officers in rural and urban police departments were very similar in gender, age, and race. However, officers in urban departments reported a greater percentage of officers who had obtained more education. Specifically, 27.7% of officers in rural areas reported their highest level of education as a high school diploma, compared to 9.5% in urban areas. Moreover, 36.4% of officers in urban areas reported having their bachelor's degrees compared to only 12.1% of officers in rural areas.

Officers in urban and rural departments were similar in their current rank and assignments. However, more urban officers (27.3%) appeared to be assigned to investigation/detective work compared to rural

officers (14.3%). This is most likely due to the demands of work in the different areas, and the reliance of small agencies to utilize the resources of other agencies when investigating serious crimes in their area. Unexpectedly, a greater percentage of rural officers (20.6%) were assigned to crime prevention compared to urban officers (5.7%).

A greater percentage of urban officers (34.1%) reported serving in their current departments 16 or more years compared to officers in rural areas (19.6%). Likewise, a greater percentage of rural officers (25.5%) reported serving in their current departments 0-3 years compared to urban officers (19.2%). Overall, this data suggests that urban officers have more tenure in their current departments and have obtained more education compared to their colleagues in rural areas. Higher turnover among rural departments is common. Often, officers leave smaller departments to accept higher paying positions in larger agencies.

*Bias-Based Policing Knowledge and Training*

Roughly, equal percentages of officers in urban (87.5%) and rural (85%) departments indicated that they had a clear understanding of what bias-based policing included in response to question 9. Small differences in the percentage of urban and rural officers who reported receiving training in the academy and within their departments were uncovered. Specifically, 62% of rural officers reported receiving bias-based police training in the academy (question 10) compared to 54.3% of urban officers; while 82.2% of urban officers reported that bias-based training was available in their department compared to only 62.3% of rural officers (question 11). Given the tenure of officers in urban departments a smaller percentage of urban officers, compared to rural officers, having received bias-based police training in the academy would be expected.

Bias-based police training such as cultural diversity and racial profiling have been included in the curriculum for only a few years at the academy. Further, in-service training is generally not as readily available among rural departments as it is in urban agencies. Larger departments often have a well-developed training division, which is not possible among smaller rural agencies. In fact, rural agencies must often send officers to academies or offerings provided by larger departments for in-service training, which makes scheduling and availability more difficult to control. It is

important to note the fact that bias-based police training is offered to officers in rural departments. There is, however, a need to expand upon this offering to ensure that all officers receive consistent bias-based police training as needed. Certainly, new officers will receive training at the academy, but both officers who have yet to receive the training and those who have received bias-based policing training in the academy will benefit from in-service training that addresses training updates. Training efforts need to be expanded upon to reach this goal.

When asked to indicate the frequency with which bias-based training was available (question 12), 19.6% of rural officers reported annually, 6.2% of rural officers reported multiple times per year, 28.7% reported there was no training provided, and 3.7% failed to answer the question compared to 34.3% of urban officers who reported annually, 10.1% of urban officers who reported multiple times per year, 6.1% who reported there was no training provided and 2.8% who failed to answer the question. Similarly, a noteworthy percentage of both urban (46.7%) and rural officers (41.7%) indicated that they did not know how frequently such training was available.

When asked to evaluate the bias-based policing training that officers received in Virginia (question 14), urban and rural officers responded similarly, with the majority of officers evaluating the training as "average" (57.3% of urban officers, 47.4% of rural officers). It should be noted that somewhat large percentages of officers in both urban and rural departments reported that no training was provided (16.9% and 28.7% respectively). In urban departments, responses followed a similar pattern regardless of race with the majority of officers evaluating the training as "average" (57.9% of White officers, 54.5% of Black officers, and 53.1% of Other officers). The difference between White officers and Other officers evaluating the training as "average" and "poor" was significant ($p<.043$). Minority officers in urban departments reported having no bias-based policing training at a higher rate than White officers (24.5% of Black officers, 23.4% of Other officers, and 15.4% of White officers). Officers in rural departments were somewhat impressed with the quality of their training with 48.4% of White officers, 40% of Black officers, and 40% of Other officers rating the training as "average" and 21.7% of White officers and 22.9% of Black officers rating it as "excellent." As with urban departments, minorities in rural

departments reported receiving no training at a higher rate (23.1% for White officers, 34.3% for Black officers, and 60% for Other officers).

Officers were asked if all supervisors were required to attend training to assist them in identifying officers and staff who might be engaging in bias-based policing practices (question 15). In response to this question, the majority of both urban and rural officers (50.4% and 51.1% respectively) reported that they did not know. A greater percentage of urban officers (37.8%) compared to rural officers (26.5%) responded affirmatively and a greater percentage of rural officers (21.8%) compared to urban officers (10.3%) responded negatively. In urban departments, 42.1% of Senior-Level Management, 49.3% of Mid-Level Management, and 35.1% of Officers answered affirmatively. Significant differences between management and officers were found in urban departments ($p<.000$). In rural departments, 44.8% of Senior-Level Management, 29.1% of Mid-Level Management, and 23.7% of Officers answered affirmatively. Significant differences between management and officers were found in rural departments ($p<.000$). These findings suggest that urban departments provide more in-service training, specifically to officers and middle- managers than do rural agencies. Since all officers are required to attend academy training, the initial training for officers is equal throughout the state. However, it is common for rural agencies to have less access to in-service training in comparison to their urban counterparts due to such issues as financing and officer scheduling. Additional efforts need to be extended to ensure that all command staff receive such training as that referred to in question 15.

Nearly half (44.5%) of rural officers reported that they believed that more bias-based policing training should be required in their department (question 16), compared to only 28.8% of officers in urban departments who felt similarly. In urban departments, White officers were less likely (22.3%) to indicate that more training should be required in comparison to minority officers (77% for Black officers and 42.6% for Other officers). This difference was significant between White officers and both Black and Other officers ($p<.000$ and $p<.006$). In rural departments, similar results were found (43.2% for White officers, 68.8% for Black officers, and 80% for Other officers). The difference between Black and White officers was significant ($p<.006$). This desire for additional training on bias-based policing by rural officers is not surprising

given the larger percentage of rural officers, compared to urban officers, who reported that such training was not available in their departments. In fact, during focus group meetings with officers from urban departments, many expressed to the researchers that they had more bias-based police training over the last few years than they wanted and that they did not want to attend any more training on the issue. These officers indicated that bias-based policing is excessively discussed and they did not feel that further training would make a difference. Such comments suggest at least three alternatives: (1) the issue of bias-based policing is resolved; (2) some officers have received sufficient training, as it is provided presently, on this issue; and (3) continued training for these officers would provide little added benefit. Since number one has yet to be accomplished, alternatives two and three remain. What is suggested by the comments of those officers in urban departments indicating that they have received sufficient training is the need for departments to support training on policies, supervision, and police culture. That training should emphasize a zero tolerance for police bias. Further, instruction should include more robust training on police-bias and not be limited to issues of cultural diversity, and racial profiling solely.

Training alone will achieve only so much toward addressing bias-based policing. Training is not always the answer, nor is it ever the final solution. Proper management must lead, or training serves no purpose.

*Bias-Based Policing Policies and Practices*

More officers in urban areas (62.7%) reported that their department has a written bias-based policing policy (question 17), compared to officers in rural areas (48%). In urban departments, 84.2% of Senior-Level Management, 78.6% of Mid-Level Management, and 58.4% of Officers answered affirmatively. Significant differences between management and officers were found in urban departments ($p<.000$). In rural departments, 51.7% of Senior-Level Management, 55.7% of Mid-Level Management, and 45.9% of Officers answered affirmatively. Significant differences between management and officers were found in rural departments ($p<.015$ and $p<.021$).

There are two important issues to consider regarding the responses to this question: (1) it is obvious that there is confusion among the

ranks as to whether a policy exists or not; and (2) fewer rural departments have bias-based policing policies in place compared to their urban counterparts. It should be understood that these two conditions are not unique to the Commonwealth of Virginia. These shortcomings exist throughout the police profession. The senior researchers have discovered such discrepancies in numerous police agencies throughout their professional careers. This, however, does not mitigate the condition, but further demonstrates the need for all departments to have policies on bias-based policing, for improved training in departmental policies, and enhanced efforts to ensure that rural and urban agencies receive the requisite training needed for a modern police agency. This responsibility falls first and foremost on the local jurisdictions and their police departments; however, extended efforts by the Commonwealth of Virginia are called for as well. It simply cannot be overstated that no excuse can mitigate or justify not providing essential training to police officers and command staff.

When asked how written policies were shared with departmental members (question 18), the majority of urban officers (52%) reported that policies were shared through training. This percentage is more than twice the percentage of rural officers (20.9%) reporting similarly. Conversely, the most popular method of training reported by rural officers was the distribution of the written bias-based policing policy with officers' signatures indicating proof of training (27.1%). Only 18.6% of urban officers indicated that this method was used in their departments.

It is not unexpected that the majority of rural departments would not have a written bias-based policing policy. In fact, it is encouraging that so many would. Keep in mind that rural departments can be as small as one or two officers and they are frequently resource poor. What is available to these departments is assistance from DCJS, model bias-based police policies that are developed by the IACP, and policies in place in other agencies in the Commonwealth of Virginia that can be reviewed, altered, and utilized. Rural and urban departments need to provide such policies to their officers so that they are made aware of the department's position on bias-based policing and thoroughly trained on the policy and its implementation. Further, while it is not surprising that rural departments rely on the distribution of the policy, with the officers' signature as proof of training, more frequently

than urban agencies, it does not negate the poor training standard such a method produces.

A word needs to be said about the adaptation and use of IACP model policies, or the use of policies developed by other police agencies by both urban and rural police departments. To begin, this study was not designed to address the process of policy development and implementation; however, it should be understood that merely adopting a prepared policy is insufficient. This is not to suggest that the review and adaptation of developed policies is to be discouraged; it is quite the opposite. What is being suggested is that merely changing the name of the police department in the heading of the adapted policy does not make it a viable policy. There is much to be said regarding the policy development process within an agency. That process should include broad-based committee membership, a review of the issues, research on what other agencies and professional associations are recommending, broad-based training, and an implementation and evaluation process.

The senior researchers have discovered throughout their research several common failings for management and officers to not know that a policy exists, or understand its meaning. To begin, someone in the department is charged with writing the policy, or copying it from someone else, no department-wide committee is created to discuss the issues and work on policy development, but rather the new policy is simply put in the policies and procedures manual. The training is often haphazard. Moreover, it is not received by officers on vacation or on the night shift; and there is no communication to department personnel that a new policy has been developed. Any police agency that can relate to this scenario, or any other scenario that detracts from the development of policies, should develop standards to improve that process to meet professional standards.

Urban and rural officers differed in the percentage of officers indicating that they believed that bias-based policing is currently practiced by officers in their department (question 28). Twenty-three percent of urban officers, compared to 13.7% of rural officers indicated that they believed such practices existed in their departments. It should be noted that 41.4% of urban respondents and 59.2% of rural respondents reported that they did not believe that bias-based policing is

currently practiced in their departments. In urban departments, a greater percentage of minorities believe bias-based policing is currently practiced in their department (20.2% of White officers, 41.3% of Black officers, and 26.6% of Other officers answered "yes"). White and Black officers in rural departments differ significantly ($p<.000$) in response to this question. In rural departments, a similar trend is seen with 12.8% of White officers, 20% of Black officers, and 20% of Other officers answering "yes." White and Black officers in urban departments also differ significantly ($p<.014$) in response to this question.

In urban departments, 34.2% of Senior-Level Management, 15.8% of Mid-Level Management, and 24% of Officers believed that bias-based policing is currently practiced by officers in their department. Significant differences between Mid-Level Management and Officers were found in urban departments ($p<.001$) and between Mid- and Senior-Level Management ($p<.022$). In rural departments, 24.1% of Senior-Level Management, 13.9% of Mid-Level Management, and 12.1% of Officers answered affirmatively. Significant differences between management and officers were found in rural departments ($p<.000$ and $p<.011$).

It is of interest to note that in both urban and rural departments, managers were more likely to report that they believed that bias-based policing is currently practiced by officers in their departments than were officers. Certainly, there is a disconnect between officer perceptions and management, especially Senior-Level Management. There could be any number of reasons for this disconnect between management and officers; however, such a variance strongly suggests the need for additional research in this area, and strong leadership among management to ensure that bias-based policing is not practiced.

Differences between rural and urban officers were also found when officers reported the extent to which they believed bias-based policing was an issue for their departments (question 30). Specifically, 21.2% of urban officers reported that bias-based policing was "somewhat" of an issue and 2.4% reported that it was a "serious" issue for their department. Only 11.5% of rural officers reported that bias-based policing was "somewhat" of an issue and .9% reported that it was a "serious" issue for their department. Collectively, 23.6% of urban officers, compared to only 12.4% of rural officers reported that bias-based policing was at least "somewhat" of an issue for their

department. In urban departments, 17.2% of White officers, 49% of Black officers, and 23.4% of Other officers reported bias-based policing was at least "somewhat" of an issue for their department. Officers of all races in urban departments differed significantly (*p*-values ranged from .000 to .002) in indicating that bias-based policing is "not an issue" or "somewhat" of an issue. In rural departments, 8.2% of White officers, 37.1% of Black officers, and 20% of Other officers reported bias-based policing as at least "somewhat" of an issue. White officers differed significantly from both Black ($p<.000$) and Other ($p<.035$) officers in rural departments and appropriate management.

In urban departments, 39.5% of Senior-Level Management, 20.9% of Mid-Level Management, and 20.4% of Officers reported bias-based policing as at least "somewhat" of an issue for their department. Officers differed significantly from Senior-Level Management (*p*-values ranged from .014 to .023) and Senior-Level Management differed significantly from Mid-Level Management in urban departments (*p*-values ranged from .028 to .046) in response to this question. In rural departments, 17.2% of Senior-Level Management, 6.3% of Mid-Level Management, and 12.6% of Officers reported bias-based policing as at least "somewhat" of an issue. In urban departments, Senior-Level Management differed significantly from Mid-Level Management ($p<.046$) in response to this question.

There are likely several reasons why, overall, the issue of bias-based policing for a department is perceived to be less of a problem by rural officers compared to their urban counterparts. It could simply be due to the fact that fewer minorities actually live in many of these jurisdictions; hence, the issue does not present itself on a regular basis. It is also generally believed that small police agencies have a closer relationship with citizens in their jurisdictions, especially sheriff's offices. The sheriff's office is, with few exceptions, an elected office. Also, many smaller departments hire locals who have grown up in the area and know the people they serve. Additional research efforts designed to better understand the relationships between the police and the public in urban and rural areas and how they impact police services would be valuable to both urban and rural agencies.

Twenty-six percent of urban officers and 25.5% of rural officers reported that they believed that bias-based policing was being practiced by

officers in *other* Virginia police departments (question 31). It should be noted that the majority of officers responding to this question in both urban and rural departments indicated that they did not know if bias-based policing is practiced by officers in other departments (59.7% and 60.7%, respectively). Furthermore, only 12.7% of urban and 11.8% of rural officers responded definitively that such practices are not present in other Virginia police departments. In urban departments, Black officers were much more likely to report that bias-based policing is practiced in other departments (24.1% for White officers, 40.6% for Black officers, and 23.4% for Other officers). Significant differences between Black officers and both White and Other officers were found ($p<.000$ and $p<.009$). In rural departments, responses by race were more similar with 25.6% of White officers, 25.7% of Black officers, and 20% of Other officers answering affirmatively. In urban departments, 34.2% of Senior-Level Management, 26% of Mid-Level Management, and 25.6% of Officers answered affirmatively. In rural departments, 31% of Senior-Level Management, 31.6% of Mid-Level Management, and 22.2% of Officers answered affirmatively.

While the majority of both urban and rural officers reported that they had not witnessed bias-based policing activities by other officers in their department (81.5% and 88.5% respectively), 16.5% of urban officers and 9.7% of rural officers reported having witnessed such activities (question 29). In urban departments, Black officers reported witnessing bias-based policing at the highest rate (36.6%) followed by Other officers (20.3%) and White officers (13.8%). Black and White officers differed significantly ($p<.000$) in response to this question. In rural departments, Other officers reported witnessing bias-based policing at the highest rate (40%) followed by Black officers (17.6%) and White officers (8.3%). In urban departments, 7.9% of Senior-Level Management, 13% of Mid-Level Management, and 17.9% of Officers answered affirmatively. In rural departments, 25% of Senior-Level Management, 10.1% of Mid-Level Management, and 6.9% of Officers answered affirmatively. This clearly suggests that bias-based policing exists within the Commonwealth of Virginia in both urban and rural areas of the Commonwealth.

While it is relatively easy to ignore such statements by individual and group outsiders, it is not as easily dismissed when organizational

insiders report such concerns. It is important, however, to keep in mind those officer responses could be limited to a single incident, and/or any number of respondents could be referring to the same incident. For this reason, it is not possible to accurately determine precise numbers or percentages of perceived or reported witnessing of bias-based policing by officers in Virginia. This, however, begs the issue. The important point is that officers themselves report the existence of a significant level of bias-based policing in the urban and rural areas of Virginia. This strongly suggests that additional attention needs to be focused on how police agencies in Virginia can reduce this perception and actual bias-based policing among officers in Virginia. With this knowledge, communities and the Commonwealth of Virginia should continue their proactive approach of addressing this issue and ensuring that every effort is being taken to eliminate bias-based policing throughout Virginia.

When asked if officers were aware of colleagues who had been held accountable for bias-based policing practices (question 22), a greater percentage of urban officers (18.1%), compared to rural officers (8.1%), reported that they were aware of such situations. When asked if they were aware of anyone in their department being terminated for bias-based policing (question 23), 95% of both urban and rural officers reported that they were not. Due to the generally lower population of minorities in many rural areas of Virginia, it is likely that rural officers would not engage in enforcement activities with minorities as frequently as their urban counterparts. What is encouraging is the fact that urban and rural departments do take action against officers accused of bias-based policing. Few actions taken by a police agency will have the impact on officer behavior more directly than officers seeing policies supported and enforced by the administration.

Urban and rural officers were very similar in their response when asked if they ever avoided taking necessary action due to being concerned that it would be perceived as bias-based policing behavior (question 37). Over 70% of both urban and rural officers reported that they never avoid taking necessary action (76.5% and 74.8% respectively). Surprisingly, 19.3% of urban officers and 19% of rural officers responded that they "sometimes" avoid taking necessary action, and 2.1% of urban and 1.9% of rural officers responded that they "always" avoid taking necessary action that might be perceived as bias-based policing. In

urban departments, 75.3% of White officers, 86% of Black officers, and 73.4% of Other officers indicated that they never avoid taking necessary action due to perceptions of bias. White officers differed significantly from both Black and Other officers on all three possible responses with *p*-values ranging from .001 to .003. In rural departments, 74.6% of White officers, 77.1% of Black officers, and 60% of Other officers responded that they never avoid taking necessary action due to perceptions of bias. White officers and Black officers differed significantly ($p<.047$) when comparing those who responded "never" and "sometimes."

Discovering that officers, which includes minority officers, avoid taking necessary action in urban and rural areas because they are concerned that it will be perceived as bias-based behavior is a serious issue for the police and the communities they serve. Interestingly, this fear is present regardless of officer race. A number of White, Black, and Other officers reported that there are times when they avoid taking necessary action due to a concern that it would be perceived as bias-based behavior. Agencies and the community need to provide the support needed to allow officers to conduct their work without being discouraged for fear of unfounded accusations that can ruin their careers. This is a difficult issue that becomes a part of addressing such a sensitive matter as bias. Yet, it must not be ignored. Departments and communities must realize the impact of their decisions, address possible negative outcomes, and make informed decisions on how to best deal with unwanted results.

### *Enforcement of Bias-Based Policing Policies*

Considerable percentages of both urban and rural officers reported that bias-based policing policies were enforced in their departments; although, it was less vigorously enforced in rural departments compared to urban departments (question 19). Specifically, 35% of urban officers reported that such policies are "somewhat" enforced and 36.6% reported that policies are "vigorously" enforced. This results in 71.6% of officers in urban areas reporting that bias-based policies are at least "somewhat" enforced. In rural departments, 23.1% of officers reported that such policies are "somewhat" enforced and 32.7% reported that policies are "vigorously" enforced. This results in 55.8% of officers reporting that such policies are at least "somewhat" enforced. Although it would be ideal if bias-based policing policies were consistently enforced in both rural and urban areas, it is promising that

the majority of officers are knowledgeable that such policies exist and are being enforced to some degree. This information does suggest, however, that some rural and urban departments need to be more diligent in vigorously enforcing bias-based policing policies. To do otherwise is unacceptable and encourages violations of our civil rights.

In urban departments, 34.3% of White officers, 39.9% of Black officers, and 35.9% of Other officers indicated that such policies are "somewhat" enforced while 39.8% of White officers 22.4% of Black officers, and 17.2% of Other officers reported that they were "vigorously" enforced. Significant differences were found between all racial groups with *p*-values ranging from .000 to .039. In rural departments, 21% of White officers, 37.5 of Black officers, and 40% of Other officers reported that such policies are "somewhat" enforced while 35.6% of White officers, 11.4% of Black officers and 20% of Other officers indicated they are "vigorously" enforced. Significant differences were found between White and Black officers, and Black and Other officers .005 to .024.

In urban departments, 21.1% of Senior-Level Management, 35.5% of Mid-Level Management, and 35.9% of Officers indicated that such policies are "somewhat" enforced while 63.2% of Senior-Level Management, 48.8% of Mid-Level Management, and 32.9% of Officers reported that they were "vigorously" enforced. Significant differences were found between officers and management reporting policies are "somewhat" and "vigorously" enforced with *p*-values ranging from .000 to .001. In rural departments, 13.8% of Senior-Level Management, 21.5% of Mid-Level Management, and 25.1% of Officers indicated that such policies are "somewhat" enforced while 48.3% of Senior-Level Management, 34.2% of Mid-Level Management, and 30.9% of Officers reported that they were "vigorously" enforced.

It is the responsibility of management, especially Senior-Level Management, to ensure that policies are supported and enforced. If such direction is not forthcoming from top management, it is assured that standards established within policies will be ignored by everyone in the organization. Hence, in those agencies not reporting vigorous enforcement, fault can be leveled directly at senior-level managers first, mid-level managers second, and then officers. Enforcement is the responsibility of every individual in the agency. Increasing

numbers of violations can be expected if stringent enforcement standards are not forthcoming from senior-level managers.

It is interesting to note that managers, overall, feel that policies are enforced more than officers do. The important point is that officers at all levels should be reporting that policies are vigorously enforced. From an organizational perspective, there is no legitimate reason to have a policy that is not enforced. This occurs frequently, but there is no justification for such a condition to exist. Unless, of course, the policy exists merely to placate the public and to leave the impression that the department is politically correct, sensitive, responsive, and concerned when in truth, it is not.

More commonly, the inclusion of such policies is done with the best of intentions. However, researchers have discovered in past work that inappropriately developed policies and poor training often leave department managers with a false sense of security. Specifically, they are left with the impression that by including a policy in their policies and procedures manual that they have, in fact, addressed the bias-based policing issue. This, of course, is untrue, but some managers do not understand the dilemma which they have created. This is yet another area in management training that needs to be addressed. This condition is similar to legislators passing traffic data collection standards and assuming that they have resolved the problem of bias-based policing. Unfortunately, it is far more complicated an issue than that.

When asked to report whether or not their department had an early warning system to track and identify potential problems with an officer (question 20), urban officers (42.3%) were almost twice as likely, compared to rural officers (21.8%) to respond favorably. Unfortunately, the largest percentages of officers in both urban and rural departments reported that they did not know if their department had an early warning system (44.4% and 41.7%, respectively). In urban departments, 65.8% of Senior-Level Management, 60.5% of Mid-Level Management, and 37.3% of Officers answered this question affirmatively. Significant differences were found between officers and management ($p$ <.000). In rural departments, 31% of Senior-Level Management, 27.8% of Mid-Level Management, and 18.8% of Officers answered this question affirmatively. Significant differences were found between both levels of management ($p$ <.036).

The difference reported in early warning systems between urban and rural agencies is not unexpected. Again, issues of finance, department capabilities, and department size often impact such management decisions. In some smaller departments, it can be successfully argued that an electronic early warning system is not needed. However, agencies must assure themselves and the public they serve that whatever management and training design they have adopted will discourage bias-based policing.

To assess departmental support of bias-based policing practices, officers were also asked if their department unofficially supported such practices (question 21). While the majority of urban officers (55.9%) and rural officers (48.3%) responded negatively, 12.1% of urban and 15.9% of rural officers indicated that they did, and 30.2% of urban and 33.6% of rural officers reported that they did not know if their department supported bias-based policing practices. In urban departments, 11.2% of White officers, 16.8% of Black officers, and 15.6% of Other officers answered affirmatively. White officers differed significantly from Black and Other officers ($p<.000$). In rural departments, 15.3% of White officers, 22.9% of Black officers, 0% of Other officers answered affirmatively. White officers and Black officers differed significantly ($p<.041$) in response to this question. In urban departments, 2.6% of Senior-Level Management, 7.9% of Mid-Level Management, and 13.4% of Officers answered this question affirmatively. Significant differences were found between officers and management ($p <.000$). In rural departments, 13.8% of Senior-Level Management, 20.3% of Mid-Level Management, and 15% of Officers answered this question affirmatively. Significant differences were found between Officers and Senior-Level Management ($p <.000$).

Such a finding that both urban and rural officers at all levels reported that bias-based policing is unofficially supported is discouraging. The fact that it is reported in substantial numbers in both areas by officers and both levels of management is further distressing. It is perhaps most disappointing to find that Mid-Level and Senior-Level Management reported that unofficial support exists as they perceive the condition. Certainly, this is an issue needing further research, but if such perceptions exist in an agency, it can only increase the possibility of bias-based policing practices in whatever form they might present themselves. Also disturbing is the percentage of

officers who do not know if their department unofficially supports bias-based policing. A department opposed to such practices would make it very clear that bias-based policing is not tolerated.

When asked if they believed that any Virginia police department officially supports bias-based policing (question 24), 11.6% of responding urban officers and 14.3% of rural officers answered "yes", 47.7% of urban and 44.2% of rural answered "no", and 38.9% of urban and 40.2% of rural indicated that they did not know. In urban departments, 10.8% of White officers, 18.2% of Black officers, and 9.4% of Other officers answered affirmatively. White officers differed significantly from both Black ($p<.000$) and Other ($p< .001$) in response to this question. In rural departments, 13.2% of White officers, 22.9% of Black officers, and 29% of Other officers answered affirmatively. White and Black officers differed significantly ($p<.045$) in response to this question. In urban departments, 2.6% of Senior-Level Management, 9.3% of Mid-Level Management, and 12.4% of Officers answered this question affirmatively. Significant differences were found between officers and management with *p*-values ranging from .000 to .005. In rural departments, 27.6% of Senior-Level Management, 12.7% of Mid-Level Management, and 13.5% of Officers answered this question affirmatively.

It is troublesome that officers at all levels in both urban and rural areas reported that they "believe that any Virginia police department officially supports bias-based policing." As with other questions in the survey, these responses do not allow for precise clarification of the issues at hand. They do, however, present a heretofore unsubstantiated view of bias-based policing conditions. Clearly, some departments need to evaluate perceptions and the reality of this condition in their jurisdictions and actively make changes as needed to bring their departments into compliance. This must begin with a strong policy statement and be supported vigorously by management and officers to ensure that there is no official support for bias-based policing.

At the sake of repeating ourselves, it cannot go without notice the implication of having mid and senior-level police managers reporting that bias-based policing is unofficially and/or officially supported in some departments. In combination, having both officers and command staff in such numbers report that they believe that bias-based policing is

unofficially and/or officially supported, only increases the urgency for Virginia to address the issue of bias in policing.

It is again worthy of repeating that these are conditions reported by active police officers and command staff at all levels of the organization. While officers, on such an issue, might be mistaken in their perception of the administration's intent, they are more likely to act on such a belief and practice bias-based policing. However, if they do not act on such a belief, they are less likely to report such behavior witnessed by them because it is perceived by them to be unofficially or officially supported. Further, police commanders believing that bias-based policing behavior is officially, or for that matter unofficially supported, are more likely to condone the non-enforcement of bias-based policing actions.

Unofficial support of behaviors such as bias-based policing by upper-level police management has the potential to create disastrous results for the department and the citizens they serve. Explicitly, the term "unofficial" is synonymous with unsanctioned, informal, unendorsed, unauthorized, off the record, and illegal. Yet, the only difference between an official and an unofficial policy seems to be that the mode of communication for both involve adherence. One does not receive an unofficial policy via verbal instructions or written policy but rather implicitly, indirectly, and ambiguously. Therefore, while training, written policies, and moral compasses should be enough to ensure that an event such as bias-based policing does not occur, more often all three can be superseded by an unofficial policy. Moreover, there is a strange tendency to aggressively seek an explanation of an official policy while following an unofficial policy without question. This fact is evident in the testimony offered by American soldiers during the current Iraqi scandal facing the United States. These are seven officers who provided arguments for the abuse of human rights. For example, PFC England argued, "that's what people in the military are supposed to do." SPC Harman stated that she was told to "make it hell so they would talk." SGT Davis admitted that although he witnessed abuses that made him morally question what was occurring, he was told, "the military had different rules." Others argued that they were afraid of reprisal, becoming labeled a whistle blower, or told not to worry about it. These arguments only help to validate the old adage that "actions speak louder than words." Before training, written policies, or

moral compasses can achieve what each was designed to achieve, policies must be supported by both words and by deeds.

As a non-supervisory police officer, survey respondents were asked what they would do if they witnessed an officer engaged in bias-based policing practices (question 32). In response to this question, 39.6% of urban officers and 25.2% of rural officers indicated that they would "talk to the officer", 17.5% of urban officers and 30.2% of rural officers indicated that they would "report the officer's behavior to a supervisor", 1.9% of urban officers and 1.2% of rural officers indicated that they would "ignore the incident", .4% of urban officers and .3% of rural officers indicated that they would "report the incident only if it occurs again", 14.4% of urban officers and 7.2% of rural officers indicated that they were "not sure what [they] would do", and 20.5% of urban officers and 32.7% of rural officers indicated that the question was "not applicable" because they were a supervisor. In urban departments, 39.6% of White officers, 39.9% of Black officers, and 39.1% of Other officers indicated that they would "talk to the officer", 16.8% of White officers, 20.3% of Black officers, and 23.4% of Other officers indicated that they would "report the officer's behavior to a supervisor", 1.7% of White officers, 2.8% of Black officers, and 3.1% of Other officers indicated that they would "ignore the incident", .3% of White officers, 1.4% of Black officers, and 0% of Other officers indicated that they would "report the incident only if it occurs again", and 14.2% of White officers, 14.7% of Black officers, and 15.6% of Other officers indicated that they were "not sure" what [they] would do.

In rural departments, 24.6% of White officers, 34.3% of Black officers, and 0% of Other officers indicated that they would "talk to the officer", 29.9% of White officers, 25.7% of Black officers, and 80% of Other officers indicated that they would "report the officer's behavior to a supervisor", 1.1% of White officers, 2.9% of Black officers, and 0% of Other officers indicated that they would "ignore the incident", .4% of White officers, 0% of Black officers, and 0% of Other officers indicated that they would "report the incident only if it occurs again", and 7.1% of White officers, 8.6% of Black officers, and 0% of Other officers indicated that they were "not sure what [they] would do." Black officers and Other officers differed significantly when comparing those who would "talk to the officer" to those who would "ignore the

incident" ($p<.046$) and those who would "report the officer's behavior to a supervisor" to those who would "report the incident only if it occurs again" ($p<.015$).

When posed the same question (question 33), urban and rural police supervisors were similar in their responses. Specifically, 12.7% of urban and 16.8% of rural supervisors indicated that they would "counsel the officer", 5.3% of urban and 5.9% of rural supervisors indicated that they would "recommend the officer attend bias-based policing training", 10% of urban and 15% of rural supervisors indicated that they would "initiate a formal investigation", .4% of urban and 0% of rural supervisors indicated that they would "ignore the incident", 1.9% of urban and 3.4% of rural supervisors indicated that they were "not sure what [they] would do", and 61.6% of urban and 53% of rural supervisors indicated that the question was "not applicable" because they did not supervise. In urban departments, 13.1% of White supervisors, 10.5% of Black supervisors, and 10.9% of Other supervisors indicated that they would "counsel the officer", 5% of White supervisors, 7.7% of Black supervisors, and 4.7% of Other supervisors indicated that they would "recommend the officer attend bias-based policing training", 9.7% of White supervisors, 12.6% of Black supervisors, and 7.8% of Other supervisors indicated that they would "initiate a formal investigation", .2% of White supervisors, .7% of Black supervisors, and 3.1% of Other supervisors indicated that they would "ignore the incident", 1.9% of White supervisors, 2.8% of Black supervisors, and 1.6% of Other supervisors indicated that they were "not sure what [they] would do", and 61.9% of White supervisors, 58% of Black supervisors, and 64.1% of Other supervisors indicated that the question was "not applicable" because they did not supervise. In rural departments, 17.8% of White supervisors, 11.4% of Black supervisors, and 0% of Other supervisors indicated that they would "counsel the officer", 5.7% of White supervisors, 8.6% of Black supervisors, and 0% of Other supervisors indicated that they would "recommend the officer attend bias-based policing training", 15.3% of White supervisors, 11.4% of Black supervisors, and 20% of Other supervisors indicated that they would "initiate a formal investigation", 0% of White supervisors, 0% of Black supervisors, and 0% of Other supervisors indicated that they would "ignore the incident", 3.2% of White supervisors, 5.7% of Black supervisors, and 0% of Other supervisors indicated that they were "not sure what [they] would do", and 52% of

White supervisors, 57.1% of Black supervisors, and 80% of Other supervisors indicated that the question was "not applicable" because they did not supervise.

In urban departments, 24.7% of Mid-Level Management and 18.4% of Senior-Level Management indicated that they would "counsel the officer", 11.6% of Mid-Level Management and 2.6% of Senior-Level Management indicated that they would "recommend the officer attend bias-based policing training", 38.1% Mid-Level Management and 63.2% of Senior-Level Management indicated that they would "initiate a formal investigation", 0 % of Mid-Level Management, and 2.6% of Senior-Level Management indicated that they would "ignore the incident", 2.3% of Mid-Level Management and 0% Senior-Level Management indicated that they were "not sure what [they] would do", and 6% of Mid-Level Management, and 2.6% of Senior-Level Management indicated that the question was "not applicable" because they did not supervise. In rural departments, 29.1% of Mid-Level Management and 27.6% of Senior-Level Management indicated that they would "counsel the officer", 7.6% of Mid-Level Management and 17.2% of Senior-Level Management indicated that they would "recommend the officer attend bias-based policing training", 39.2% Mid-Level Management and 37.9% of Senior-Level Management indicated that they would "initiate a formal investigation", 0% of Mid-Level Management, and 0% of Senior-Level Management indicated that they would "ignore the incident", 3.8% of Mid-Level Management and 3.4% Senior-Level Management indicated that they were "not sure what [they] would do", and 8.9% of Mid-Level Management, and 3.4% of Senior-Level Management indicated that the question was "not applicable" because they did not supervise.

Responses between urban and rural present the same conditions discussed in the previous section regarding this issue. Efforts need to be extended to better train officers and supervisors in urban and rural departments on what actions they should take and under what conditions when bias-based policing practices are observed.

A greater percentage of urban officers (8.3%) compared to rural officers (4%) indicated that a bias-based policing claim filed against them was unfounded (question 36). Responses from urban and rural officers were very similar with respect to the percentage of responding officers

whose outcome of a bias-based policing claim against them was founded (urban, .8% and rural, .9%). Not surprisingly, 85.2% of urban officers and 91% of rural officers reported that they had never had a complaint filed against them for bias-based policing. In urban departments, 85.4% of White officers, 83.9% of Black officers, and 85.9% of Other officers indicated they had never had a bias-based policing complaint filed against them. In urban departments, 86.8% of Senior-Level Management, 85.1% of Mid-Level Management, and 85.2% of Officers reported never having a bias-based policing complaint filed against them. In rural departments, 93.1% of Senior-Level Management, 96.2% of Mid-Level Management, and 88.9% of Officers indicated they had never had a complaint filed against them.

Urban and rural officers differed in their responses to a question regarding their beliefs on the treatment of minority individuals by minority officers (question 34). Specifically, 63.1% of urban officers, compared with only 46.1% of rural officers, indicated that they believed that minority officers are not more fair in their dealings with minorities. Moreover, 10.5% of urban officers and 14% of rural officers indicated that they thought minority officers were indeed more fair in their dealings with minorities. Similar to other responses, 25% of urban officers and 38.3% of rural officers indicated that they did not know. In urban departments, 6.3% of White officers, 37.8% of Black officers, and 17.2% of Other officers believe that minority officers are more fair in dealing with minorities. Significant differences were found between all three racial groups with *p*-values ranging from .000 to .002. In rural departments, 11% of White officers, 34.3% of Black officers, and 40% of Other officers believe that minority officers are more fair in dealing with minorities. Only the difference between White and Black officers in rural departments was significant ($p<.000$). In urban departments, 10.5% of Senior-Level Management, 6% of Mid-Level Management, and 11.5% of Officers answered affirmatively. A significant difference ($p<.000$) between Officers and Mid-Level Management was found. In rural departments, 17.2% of Senior-Level Management, 16.5% of Mid-Level Management, and 12.6% of Officers answered affirmatively.

Interestingly, the issue of officer fairness was not perceived by officers in the focus groups to be problematic. This might be because most White officers do not perceive a difference in

treatment. Of course, what occurs in the mind of an individual officer is known only by him/her and the true underlying reason for an officer's action is, similarly, known only by him/her. Further, officers often work alone and do not observe their fellow officers in all enforcement situations.

In citizen focus group meetings, the researchers discovered differing views on Black officer behavior as perceived by Black participants. Black citizens both praised and disparaged Black officers. Often, comments by Black citizens were more disparaging against Black officers than they were against either White or Other officers. In addition, Black and White officers agreed in officer focus groups that Black officers were often treated more harshly by Black citizens than were their White counterparts. Black officers reported that they believed that to be true because Black citizens would ask for consideration (i.e., non-enforcement action on the part of the Black officer). When consideration was not forthcoming, some Black citizens would begin to berate the officer with a variety of racial epithets and slurs in expression of their anger toward the officer for "not helping a brother out". Needless to say, such behavior on the part of Black citizens toward Black officers is injurious to the officer's concept of self and often difficult for them to understand. In our discussions with officers, it was clear that regardless of their race, they were there to help both members and non-members of their race. For both Black and White officers, being accused of bias or berated for performing their job to protect citizens, while seen as a part of the job, was nonetheless hurtful.

There is another aspect to a question that asks, "Do you believe that minority officers are fairer in their dealings with minorities?" Such a question has a potential inherent bias-based policing factor. For example, if Black or Other officers grant requests for special consideration from members of their own race, could this not be bias-based policing? Is such a situation any different than if a White officer granted such a request to a White citizen? You will remember that bias-based policing is defined as *practices by individual officers and supervisors, managerial practices, and departmental programs, both intentional and non-intentional that incorporate prejudicial judgments based on sex, race, ethnicity, gender, national origin, sexual orientation, economic status, religious beliefs, or age that are inappropriately applied.* When management, White officers, and self-reporting Black and Other officers respond "yes" to indicate that

minority officers are "fairer" in their dealings with members of their own race, this could suggest bias-based policing. Again, we face the same problem that we do when trying to determine bias-based policing practices among White officers. First, officer responses to this question could be based on their belief that White officers are not fair in their dealings with minority citizens. The respondent's "yes" answer is then based upon the fact that overall minorities are fair to members of their own race. Second, such a question does not uncover the intent or reason upon which the decision to give someone of their own race a break and not enforce the law or not to enforce the law to the extent possible against that particular citizen. There could be any number of acceptable or unacceptable reasons that swayed the officer's decision not to enforce the law, and it is likely that others will never know that reason. Further, it is unlikely that everyone would agree with the reason given by the officer for not enforcing the law in a given situation if the officer's intent was known.

The officers' response to this question suggests the following: (1) follow-up research on this subject is needed to better understand the issue of bias-based policing from this perspective; (2) training on bias-based policing should address the issue of minority bias-based policing considering that the criminal justice literature is essentially silent on this issue; and, (3) in the end, citizens must rely on the integrity of their officers to make the correct decision, but to also be compassionate without the fear of being labeled biased.

### *Bias-Based Police Data Collection and Distribution*

Differences between rural and urban officers' beliefs regarding bias-based policing data collection were uncovered. Specifically, 42.1% of rural officers reported that they believed that the police should collect bias-based policing data, compared to only 26.4% of urban officers reporting similar beliefs (question 40). There are several possible explanations for this difference between urban and rural officers. We discussed earlier in the report why at least one group of officers recommended that their department not begin data collection in their agency, so we will not address this issue again here. However, it is likely that officers in rural departments in Virginia are less concerned about the time or funds needed to accomplish the data collection task. It also is likely that officers in rural departments have not had the experience with data collections issues, media implications, or are aware of the

methodological failings and resultant problems that it has caused for larger departments. However, regardless of the actual reasons for this discrepancy, it is possible that there would be less resistance to the implementation of data collection requirements among officers in rural areas of the Commonwealth of Virginia. The data also suggests that if a department chooses to implement data collection, training will be needed and a variety of heretofore discussed issues must be addressed before implementation occurs.

In urban departments, 23.3% of White officers, 49% of Black officers, and 25% of Other officers believed that the police should collect such data. Significant differences were found between White officers and Black officers ($p<.000$) and Black officers and Other officers ($p<.002$) in rural departments. In urban departments, 40.2% of White officers, 57.1% of Black officers, and 40% of Other officers believed that the police should collect such data. Only the difference between White and Black officers' responses was significant ($p<.018$) in rural departments.

In urban departments, 34.2% of Senior-Level Management, 30.7% of Mid-Level Management, and 25.2% of Officers answered affirmatively. A significant difference ($p<.013$) between Officers and Mid-Level Management was found. In rural departments, 51.7% of Senior-Level Management, 49.4% of Mid-Level Management, and 38.2% of Officers answered affirmatively.

When posed with the question of whether or not the officers believed that the police department openly shares information with the public (question 41), 65% of urban officers responded favorably, compared to only 57% of rural officers responding similarly. In urban departments, 68.2% of White officers, 50.3% of Black officers, and 45.3% of Other officers believed that the police openly shares information. Significant differences were found between White officers and both Black and Other officers ($p<.000$ and $p<.001$). In rural departments, 60.1% of White officers, 37.1% of Black officers, and 20% of Other officers believed that the police department openly shares information with the public. A significant difference was found between White officers and Black officers ($p<.018$).

In urban departments, 86.8% of Senior-Level Management, 79.1% of Mid-Level Management, and 61% of Officers believed that the police department openly shares

information with the public. A significant difference was found between officers and management ($p<.000$ and $p<.004$). In rural departments, 58.6% of Senior-Level Management, 67.1% of Mid-Level Management, and 53.1% of Officers answered affirmatively. A significant difference was found between Officers and Mid-Level Management ($p<.027$).

Small differences were found among rural and urban police officers on the topic of their beliefs regarding the media's honest portrayal of bias-based policing incidents (question 42). Specifically, the majority of both urban (79.6%) and rural officers (68.2%) believe that the media is not honest in their portrayal of such incidents. Similarly, 6.9% and 8.7% respectively, reported that they believed the media was honest, but a larger percentage of rural (22.4%), compared to urban officers (11.9%) indicated that they did not know. It is clear that even in the rural areas of Virginia, a large number of police officers at all levels do not feel that the media is honest in their portrayal of bias-based policing incidents. In urban departments, only 6.4% of White officers, 11.2% of Black officers, and 4.7% of Other officers felt the media honestly portrays bias-based policing incidents. A significant difference ($p<.002$) was found between White and Black officers responding to this question. In rural departments, only 6.8% of White officers, 25.7% of Black officers, and 0% of Other officers felt the media honestly portrays bias-based policing incidents. A significant difference ($p<.000$) was found between White and Black officers responding to this question. In urban departments, 10.5% of Senior-Level Management, 7% of Mid-Level Management, and 6.7% of Officers believed that the media honestly portrays bias-based policing incidents. A significant difference ($p<.013$) between Officers and Mid-Level Management was found. In rural departments, 0% of Senior-Level Management, 10.1% of Mid-Level Management, and 9.7% of Officers answered affirmatively.

Despite the small differences between urban and rural officers on the topic of the media and their portrayal of bias-based policing incidents, the majority of both urban (83.2%) and rural (76%) officers reported that they believed that the police department should hold the media and other members of the community responsible for the dissemination of misinformation (question 43). Perhaps what is more surprising than the fact that the vast majority of officers at all levels believe that the

media and other members of the community should be responsible for the dissemination of misinformation, is the fact that some officers do not believe that the media and other members of the community should be held to a similar standard as the police.

### *Police Officers Working Cooperatively with the Community*

When asked if they believed that it would be possible for community members to openly discuss racial issues (question 44), urban and rural officers responded similarly. Fifty-six percent of urban and 57.6% of rural officers indicated that they believed it would be possible. This finding was somewhat of a surprise to some of the research staff. It was originally thought by some that officers in rural areas would find it easier than officers in urban areas to address issues in an open manner. It is generally held that small rural communities are more sociable, friendlier, and that people know one another throughout the community. However, rural areas are less integrated, more isolated and closed, and generally conservative. Further, many rural communities also have a legacy of discrimination and racial bias in this country. Finally, individuals living in rural areas are less likely to encounter other cultures and beliefs on a regular basis. Quite simply, when the issue of race is raised, regardless of location, it can be a highly sensitive issue. This, again, suggests that rural and urban communities have similar problems with regard to racial issues and their ability to openly discuss such issues. Of course, the good news is that the majority of officers in both urban and rural areas feel that such discussions can occur.

In urban departments, 56% of White officers, 55.9% of Black officers, and 56.3% of Other officers believed that it was possible for members of the community to honestly and openly discuss racial issues. In rural departments, 57.7% of White officers, 57.1% of Black officers, and 60% of Other officers answered affirmatively to this question. In urban departments, 60.5% of Senior-Level Management, 62.8% of Mid-Level Management, and 54.4% of Officers answered affirmatively. A significant difference ($p<.003$) between Officers and Mid-Level Management was found. In rural departments, 65.5% of Senior-Level Management, 60.8% of Mid-Level Management, and 55.6% of Officers answered affirmatively. Interestingly, officers in both urban and rural communities were more convinced than senior-level managers that such discourse could occur.

Regarding police officers and community members working cooperatively to develop workable solutions to address a bias-based policing problem (question 45), 69.3% of urban officers, compared to 76% of rural officers indicated that they believed this would be possible. Moreover, a similar percentage of urban (28.1%) and rural (23.7%) officers indicated that they did not know or believe that working cooperatively on such an issue would be possible. Rural officers did show a slightly stronger belief that a cooperative effort between the police and the community would result in a successful outcome. It is encouraging to note that in both urban and rural settings that the police generally agree that cooperation would be successful.

In urban departments, 70.4% of White officers, 69.2% of Black officers, and 53.1% of Other officers answered affirmatively to this question. There was a significant difference between the responses of Other officers and both White ($p<.001$) and Black ($p<.011$) officers. In rural departments, 75.4% of White officers, 80% of Black officers, and 80% of Other officers answered affirmatively to this question. In urban departments, 89.5% of Senior-Level Management, 80.5% of Mid-Level Management, and 66.2% of Officers answered affirmatively. A significant difference ($p<.013$) between Officers and Mid-Level Management was found. In rural departments, 89.7% of Senior-Level Management, 75.9% of Mid-Level Management, and 75.4% of Officers answered affirmatively.

## SUMMARY

In summary, analysis of the survey responses from officers in rural departments compared to officers in urban departments highlighted some noteworthy differences. First, urban officers have more tenure in their current departments and have obtained more education compared to their colleagues in rural areas.

Second, officers in rural departments, compared to officers in urban departments, reported receiving less bias-based police training and were less likely to report that their departments had a written bias-based policing policy. Rural department officers, compared to their urban colleagues, reported a desire to have additional bias-based policing training and policies developed within their departments with greater frequency.

Third, a larger percentage of urban officers, compared to rural officers, reported that they

believed that bias-based policing was an issue for their departments. Despite this difference, both urban and rural officers appear to hold similar beliefs regarding the presence of bias-based policing in other Virginia police departments.

Fourth, rural officers, compared to urban officers, appear to be more inclined to believe that police departments should collect data on bias-based policing incidents. This finding could be indicative of workload differences between urban and rural departments, or officer experiences with bias-based policing issues.

Finally, chi-square analyses revealed significant differences between management and officers in response to several of the survey questions. Significant differences were also found among White, Black, and Other officers in regard to issues such as the existence of training, whether or not more training should be required, the practice of bias-based policing in Virginia, and cooperation between the police and the community. Moreover, as with the differences among the police ranks, the disparity in perceptions among the races is just as great. While some of this disparity could be attributed to experience and culture, these findings indicate that more training and research on the bias-based policing issue is needed.

## *ANALYSIS BY DEMOGRAPHIC ZONES*

Using 2000 Census Bureau population data, the counties of Virginia were categorized according to the percentage of White and Black residents. The following four zones were used to identify the percentage of White and Black residents in each of the counties: 1) the population of counties identified as being in Zone 1 contained 90.0 - 99.3% of White residents; 2) the population of counties identified as being in Zone 2 contained 50.6 - 79.0% of Black residents; 3) the population of counties identified as being in Zone 3 contained 30.9 - 44.7% of Black residents; and 4) the population of counties identified as being in Zone 4 contained 17.8 - 29.7% of Black residents.

Of the total 1,554 Police Officer Survey respondents, 685 (44.1%) were categorized as working in a county identified as being in Zone 1; 61 (3.9%) were categorized as working in a county identified as being in Zone 2; 348 (22.4%) were categorized as working in a

county identified as being in Zone 3; and 460 (29.6%) were categorized as working in a county identified as being in Zone 4.

Statistical analyses of the data collected and organized by zone were conducted in the same manner as described in the preceding sections. The significant relationships were revealed utilizing 2X2 contingency chi-square analyses. Due to the volume of analyses, only the statistically significant relationships will be discussed below. Furthermore, complete information regarding the percentage of respondents by race and rank selecting each response option to the survey items discussed in this section can be found in Appendices G and H.

## DEMOGRAPHICS

The racial composition of survey respondents with the four zones was as follows: Zone 1 included 87.0% Whites, 8.3% Blacks, and 4.7% Other; Zone 2 included 85.2% Whites and 14.8 Blacks; Zone 3 included 77.6% Whites, 17.0% Blacks, and 5.4% Others; and Zone 4 included 84.6% Whites, 11.5% Blacks, and 3.8% Others. Overall, there were few significant differences between the officers' survey responses regarding demographic information from the different zones. Some of the demographic differences included Zone 3 as the only zone that reported having a higher percentage of officers in the 40-59 age group compared to the 18-39 age group. Zone 1 had the largest percentage (5%) of police officers reporting being of Hispanic origin compared to Zones 2, 3, and 4 (2%, 4%, and 2%, respectively). Zone 1 was also the only zone where the majority of their officers reported having bachelors' degrees compared to Zones 2, 3, and 4 where the majority of officers reported having completed "some college". Finally, Zone 2 was the only zone where the length of time the majority of officers reported serving in their current departments was not 16 years or more, as reported in Zones 1, 3, and 4. In Zone 2, 39% of officers reported serving in their current department 0-3 years, followed by 4-6 years (25%), 7-10 years (21%), 11-15 years (8%), and 16 or more years (7%).

### *Bias-Based Policing Knowledge and Training*

Survey respondents from all four zones were similar in their response to the question regarding having a clear understanding of what bias-based policing includes (question 9). Specifically, between 79.9% and 89.9% of officers in each zone responded affirmatively.

Zones 2 and 3 had a greater percentage of officers responding negatively (16.4% and 18.7% respectively) compared to Zones 1 and 4 (10.2% and 9.6% respectively), suggesting that the need for such training might be stronger in certain areas of Virginia.

Sixty-five percent of officers in Zones 1 and 2 reported having received bias-based police training in the academy (question 10), compared with only 45.7% and 48.5% of officers in Zones 3 and 4 reporting similarly. Therefore, roughly 50% of police survey respondents in Zones 3 and 4 did not receive bias-based training in the police academy. This training issue is further compounded with the results from question 11 which asked officers if bias-based police training was made available to officers within their department. Twenty-seven percent of officers in Zone 3 and 24.6% of officers in Zone 2 responded negatively. Moreover, respondents in Zone 3 had the lowest percentage of "yes" responses (67%) compared to responses from officers in Zones 1, 2, and 4 (80.6%, 73.8%, 83.5%, respectively).

Contrary to the results of the previous questions that suggests that police officers in Zone 3 are lacking in bias-based policing training, the majority of officers in Zones 1 (67.9%), 3 (60.3%), and 4 (65.7%), responded negatively when asked if they believed that more bias-based policing training should be required in their departments (question 16). On the other hand, a greater percentage of officers in Zone 2 indicated that such training should be required in their departments (49.2%), compared to those who did not feel similarly (47.5%). It should be noted that 60% or more of officers in each of the other three zones indicated that they believed that more bias-based policing training should not be required by their departments. Examination of this data by race revealed statistically significant differences between Blacks and Others in Zone 3 ($p<.002$) with Blacks more likely to respond affirmatively to this question. Moreover, a significant difference was found between Whites and Others in Zone 4 ($p<.009$), with Others more likely to respond affirmatively to this question.

When asked if all supervisors are required to attend bias-based police training to assist them in identifying officers and staff who might be engaging in bias-based policing practices (question 15), Zone 2 is the only zone where more respondents answered "no" (39.5%) rather than "yes" (23%). Officers in the other

three zones responded in the following manner: Zone 1, 36.1% selected "yes" and 11.5% selected "no", Zone 3, 29.3% selected "yes" and 15.2% selected "no", and Zone 4, 40.9% selected "yes" and 10.2% selected "no". It should be noted that most of the officers in each of the four zones reported that they did not know if bias-based policing training was required of supervisors in their department (Zone 1 - 51.4%, Zone 2 - 47.5%, Zone 3 - 53.7%, and Zone 4 - 47.4%). Examination of this data by rank revealed significant differences between Senior-Level Management and Officers in all four zones with p-values ranging from .000 to .057. Differences were also found between Mid-Level Management and Officers in all four zones with *p*-values ranging from .000 to .002. Surprisingly, officers were more likely to report that all supervisors are required to attend bias-based police training to assist them in identifying officers and staff who might be engaging in bias-based policing practices.

When asked to evaluate the bias-based training they received in Virginia (question 14), 50% or more of officers in each of the four zones evaluated the training as "average". Officers in the four zones differed in the percentage of officers who evaluated the training as "excellent". Specifically, 9.8% of officers in Zone 2, 10.9% of officers in Zone 3, 21.5% of officers in Zone 4, and 22.9% of officers in Zone 1 evaluated the training as "excellent". Between 1.6% and 5.7% of officers in the four zones evaluated the training as "poor" and between 14.3% and 28.7% indicated that they had not received bias-based training as a police officer in Virginia. Chi-square analyses of this data by race found significant differences between White and Other respondents in Zone 1 for individuals who evaluated the training as "average" or "excellent" ($p < .002$) and "poor" or "average" ($p < .003$).

*Bias-Based Policing Policies and Practices*

The majority of officers in Zones 1, 2, and 4 (68.8%, 54.1%, 71.3%, respectively) reported that their department had a written bias-based policing policy (question 17). Zone 3 is the only zone where more officers (48.9%) reported that they did not know if their department had a written policy, compared to those officers, in this zone, who reported having a policy (27.3%) and those who reported that their department did not have a policy (19.8%). Zone 2 also had a noteworthy percentage of officers who reported that their departments did not have a written bias-based

policing policy (23%), despite the majority of their officers reporting that their department did have such a policy. When compared to officers in Zones 1 and 4 who reported that their departments did not have a written policy (3.8% and 5.7%, respectively), it appears as though a significantly larger percentage of officers in Zones 2 and 3 are not aware of their department's written policies regarding bias-based policing. Examination of this data by rank revealed statistically significant differences between Senior-Level Management and Officers in all four zones with p-values ranging from .000 to .04. Significant differences also were found between Mid-Level Management and Officers in Zones 1, 3, and 4 ($p<.001$) and Senior- and Mid-Level Management in Zone 1 ($p<.031$).

Officers in each of the four zones were very similar in their response to the question of how their department makes their bias-based policing policies known to departmental members (question 18). The most popular method of informing officers of bias-based policing policies was "through training," with 35.9% to 50.4% of officers selecting this response. "Distribution of the policy with officer signature as proof of training" was also a common response with an average of 23% of officers in Zones 1, 2, and 4 indicating this method is used in their departments. Zone 3 was the only zone where more officers indicated that their department does not have a written policy that addresses bias-based policing (23.3%), compared to officers in this zone who reported that such policies are distributed with officer signature as proof of training (14.1%). Zone 3 was also the zone with the largest percentage (17%) of officers indicating that no method is used by their department for ensuring their bias-based policing policies are known to departmental members (Zone 1 - 11.2%, Zone 2 - 8.2% and Zone 4 - 9.3%).

Similarities between the officers in each of the four zones were found when asked if they were aware of officers who have been held accountable for bias-based policing practices (question 22). An average of 81% of all officers in each of the zones selected "no" in response to this question (i.e., Zone 1 - 82.6%, Zone 2 - 80.3%, Zone 3 - 81.3%, and Zone 4 - 80.9%). Furthermore, when posed with question 23, the majority of officers in each of the zones once again responded similarly. Specifically, 96.6% of officers in Zone 1; 88.5% of officers in Zone 2, 92% of officers in Zone 3, and 95.2% of officers in Zone 4

indicated that they do not know of anyone in their department who was terminated for bias-based policing.

Although officers in each of the zones reported that they believed that bias-based policing is not presently practiced by any officer in their department in response to question 28 (Zone 1 - 50.4%, Zone 2 - 55.7%, Zone 3 - 36.8%, and Zone 4 - 42.0%), slight differences were found between the respondents in the four zones who believed that such behaviors are being practiced. Specifically, a greater percentage of officers in Zones 1 (20.4%), 3 (20.4%), and 4 (23.7%) compared to officers in Zone 2 (11.5%) reported that such practices are present in their departments. A large percentage of survey respondents selected the "unknown" response option for this question (Zone 1 - 27.7%, Zone 2 - 29.5%, Zone 3 - 40.8%, and Zone 4 - 33.7%). An unknown response should, in this instance, not be overlooked for its significance. Essentially, officers are saying that they have not witnessed such behavior. This is a positive indication in the overall scheme when querying about the existence of bias-based policing in Virginia. Analysis of this data by race found significant differences between Whites and Blacks in Zones 1, 3, and 4 with *p*-values ranging from .000 to .002, with Blacks more likely to respond affirmatively to this question. Differences were also found between Whites and Others in Zone 1 ($p<.043$), with Others more likely to respond affirmatively to this question. Examination of this data by rank revealed statistically significant differences between Mid-Level Management and Officers in Zones 1 and 3 with *p*-values ranging from .000 to .014 with officers more likely to report that they believe that bias-based policing is presently practiced by officers in their department. Differences were also found between Senior-and Mid-Level Management in Zone 4 ($p<.049$), with Mid-Level Management more likely to report that they believe that bias-based policing is presently practiced by officers in their department.

Very few differences were found when officers were asked if they believed that bias-based policing is practiced by individual officers in *other* Virginia police departments (question 31). Specifically, the majority of officers in each of the four zones selected the "unknown" response option (Zone 1 - 60.6%, Zone 2 - 67.2%, Zone 3 - 58.3%, and Zone 4 - 59.1%). Once again, an unknown response is a positive sign that officers are not specifically aware of such behavior in other departments. An

average of 25% of survey respondents indicated that they believed such practices are present in *other* Virginia police departments and 11% indicated that they are not. Examination of this data by race found differences between Whites and Blacks in Zones 1 and 3 with *p*-values ranging from .01 to .013, with Blacks more likely to respond affirmatively to this question. Analysis conducted by rank revealed significant differences between Senior-Level Management and Officers in Zone 2 ($p<.012$) and Mid-Level Management and Officers in Zone 3 ($p<.052$), with officers more likely to report that such practices occur in other Virginia police departments.

Approximately 80% of all survey respondents indicated that they have not witnessed bias-based policing activities by other officers in their department (question 29). What is of concern is the 14.7% of officers in Zone 1, the 16.4% of officers in Zone 2, the 17% of officers in Zone 3 and the 13.9% of officers in Zone 4 who have witnessed their fellow officers engage in such behaviors. Examination of this data by race and rank found no significant differences.

When asked to describe the extent to which officers believed bias-based policing was an issue for their department (question 30), respondents in Zones 3 and 4 reported a higher percentage of "somewhat" responses (24.1% and 22.6%, respectively) compared to officers in Zones 1 and 2 (14.9% and 13.1%, respectively). Collectively, 27% and 23.9% of officers in Zones 3 and 4 reported that bias-based policing was "somewhat" or a "serious" issue for their departments compared to 16.9% to 16.4% percent of officers reporting similarly in Zones 1 and 2. Analyses by race found significant differences between White and Black officers in Zones, 2, 3, and 4 indicating bias-based policing was "not an issue" and "somewhat of an issue" ($p<.000$). Differences were also found between Whites and Blacks in all four zones indicating bias-based policing was "somewhat of an issue" and "a serious issue" ($p<.000$); and "not an issue" and "a serious issue" ($p<.000$) with Whites more likely to report that bias-based policing was "not an issue" and Blacks more likely to report that bias-based policing is "somewhat of an issue" or "a serious issue". Additional differences were found between Whites and Others in Zones 1 and 4 with *p*-values ranging from .000 to .045 with Whites more likely to report that bias-based policing was "not an issue" and Others more likely to report that bias-based policing is "somewhat of an issue" or "a serious issue";

and between Blacks and Others in Zone 4 with *p*-values ranging from .006 to .028 with Others more likely to report that bias-based policing was "not an issue" or "a serious issue" and Blacks more likely to report that bias-based policing is "somewhat of an issue". Statistically significant differences were uncovered in Zone 4 between Senior- and Mid-Level Management ($p<.009$) and between Senior-Level Management and Officers ($p<.008$) with Mid-Level Management and Officers more likely to report that bias-based policing was "not an issue" and Senior-Level Management more likely to report that bias-based policing is "somewhat of an issue".

Officers in the four zones responded to question 37 in much the same manner with roughly 77% of respondents indicating that they "never" avoid taking necessary action because they are concerned that it would be perceived as bias-based policing behavior. The percentage of officers in Zone 2 (13.1%) who reported that they "sometimes" avoid taking necessary action was the least of the four zones (Zone 1 - 21.8%, Zone 3 - 16.4%, and Zone 4 - 18.5%), although this zone had the highest percentage of officers (3.3%) who reported that they "always" avoid taking necessary action (Zone 1 - 2.3%, Zone 3 - 2.3%, and Zone 4 - 1.3%). Examination of this data by race revealed significant differences between White and Black officers in Zones 1, 2, and 4 who reported "never" and "sometimes" with *p*-values ranging from .024 to .04 with Whites more likely than Blacks to report "sometimes" and Blacks more likely than Whites to report "never"; White and Black officers in Zones 1 and 4 who reported "never" and "always" with *p*-values ranging from .005 to .027 with Whites more likely than Blacks to report "always" and Blacks more likely than Whites to report "never"; and White and Black officers in Zones 1 and 4 who reported "sometimes" and "always" with *p*-values ranging from .005 to .017 with Whites more likely than Blacks to report "sometimes" and "always". Differences were also found between White and Other officers in Zones 1 and 3 who reported "never" and "always" with *p*-values ranging from .007 to .023 with Whites more likely than Others to report "never" and Others more likely than Whites to report "always"; White and Other officers in Zone 1 who reported "never" and "sometimes" ($p<.039$) with Whites more likely than Others to report "never" or "sometimes"; and White and Other officers in Zone 3 who reported "sometimes" and "always" ($p< .024$) with Others more likely than Whites to report "sometimes" or "always".

*Enforcement of Bias-Based Policing Policies*

When asked to report the extent to which the administration enforces bias-based policing policies within the department (question 19), the majority of officers in each of the four zones reported "vigorously" or "somewhat". Specifically, 39.6% of officers in Zone 1, 39.3% of officers in Zone 2, 21% of officers in Zone 3, and 40.9% of officers in Zone 4 reported that such policies were "vigorously" enforced; and 33.3% of officers in Zone 1, 24.6% of officers in Zone 2, 28.2% of officers in Zone 3, and 35.9% % of officers in Zone 4 reported that such policies were "somewhat" enforced. Additionally, unsettling is the fact that 5.3% of officers in Zone 1, 2.3% of officers in Zone 3 and 4.8% of officers in Zone 4 reported that such policies were "never" enforced. Significant differences were found between Whites and Blacks in Zones 1 and 4 reporting "never" and "somewhat" with *p*-values ranging from .002 to .029 with a greater percentage of Blacks than Whites indicating that such policies are "never" and "somewhat" enforced. Significant differences were also found between Whites and Blacks in Zones 1 and 4 reporting "never" and "vigorously" with *p*-values ranging from .000 to .016, with a greater percentage of Blacks than Whites reporting "never" and a greater percentage of Whites than Blacks reporting "vigorously". Significant differences were also found between Whites and Blacks in Zones 2 and 4 reporting "somewhat" and "vigorously" with *p*-values ranging from .009 to .027, with a greater percentage of Blacks than Whites reporting "somewhat" and a greater percentage of Whites than Blacks reporting "vigorously". Analysis of this data by rank found significant differences between management and officers in Zones 1 and 4 reporting "never" and "vigorously" with *p*-values ranging from .000 to .048; and "somewhat" and "vigorously" with *p*-values ranging from .001 to .027 with a greater percentage of officers reporting "never" and a greater percentage of management reporting "vigorously". Differences were also found between management and officers in Zone 1 reporting "never" and "somewhat" ($p<.048$) with a greater percentage of officers than management reporting "never" and "somewhat".

When asked if their department had an early warning system to track and identify potential problems with an officer (question 20), 54.5% of officers in Zone 1 responded affirmatively, compared with only 29.5% in Zone 2, 23.9%

in Zone 3, and 25.7% in Zone 4. More than 50% of respondents in Zones 3 and 4 indicated that they did not know if their department had an early warning system, compared to 35.8% in Zone 1 and 37.7% in Zone 2. Analysis of this data, by rank, revealed statistically significant differences in all four zones between Senior-Level Management and officers with *p*-values ranging from .000 to .012 with Senior-Level Management more likely than Officers to respond affirmatively. Statistically significant differences were also found between Mid-Level Management and Officers ($p<.000$) with Mid-Level Management more likely than Officers to respond affirmatively. Differences between Senior- and Mid-Level Management were found in Zone 4 ($p<.004$) with Senior-Level Management more likely than Mid-Level Management to respond affirmatively.

Disconcertingly, 18% of officers in Zone 2 reported that their department unofficially supports bias-based policing activities (question 21), compared to 13.7% in Zone 1, 13.2% in Zone 3, and 10.7% in Zone 4. Once again, a considerable percentage of respondents selected the "unknown" response option in response to this question (Zone 1 - 27.3%, Zone 2 - 31.1%, Zone 3 - 44.5%, and Zone 4 - 25.9%). Therefore, only 57.1% of officers in Zone 1, 47.5% of officers in Zone 2, 39.7% of officers in Zone 3, and 62.2% of officers in Zone 4 reported that their department does not unofficially support bias-based policing practices. Examination of this data by race found significant differences between Whites and Blacks in all four zones with *p*-values ranging from .007 to .031, with Blacks more likely to respond to this question affirmatively. Significant differences were also found between Whites and Others in Zone 1 ($p<.011$), with Others more likely to respond affirmatively to this question. Differences in rank were also found in Zones 1, 3, and 4 between Senior-Level Management and Officers with *p*-values ranging from .000 to .005, with officers more likely than senior-management to report that their department unofficially supports bias-based policing activities. Interestingly, significant differences were also found between Mid-Level Management and Officers with *p*-values ranging from .000 to .001, with Mid-Level Management more likely than officers to report that their department unofficially supports bias-based policing.

The percentage of officers who reported they believed that any Virginia police department officially supports bias-based policing practices (question 24) was very similar across the four

zones (Zone 1 - 12.3%, Zone 2 - 16.4%, Zone 3 - 13.8%, and Zone 4 - 10.2%). Slight differences were found in the percentage of officers who indicated they did not believe that any Virginia police department officially supports bias-based policing practices (Zone 1 - 12.3%, Zone 2 - 16.4%, Zone 3 - 13.8%, and Zone 4 - 10.2%). Statistically significant differences were found between Whites and Blacks in Zones 1, 3, and 4 with *p*-values ranging from .001 to .017 with Blacks more likely to respond affirmatively. Differences were also found between Whites and Others in Zones 1 and 4 ($p<.035$ and $p<.016$, respectively) with Whites in Zone 1 and Others in Zone 4 more likely to respond affirmatively. Analysis of the data by rank uncovered differences between Mid-Level Management and Officers in Zones 1, 3, and 4 with *p*-values ranging from .000 to .044 with Officers more likely to respond affirmatively; and between Senior-Level Management and Officers in Zone 4 ($p<.029$) with Officers more likely to respond affirmatively.

Non-supervisory officers were asked what they would do if they witnessed an officer engaged in bias-based policing practices (question 32). The percentage of officers in Zones 1, 3, and 4 who selected the "talk to the officer" option were very similar (i.e., 38.1%, 37.9%, and 35.7%, respectively). Only 19.7% of officers in Zone 2 selected this option. A greater percentage of officers in Zone 2 selected the "report the officer's behavior to a supervisor" option (36.1%) compared with officers in the other three zones (i.e., 19.7%, 14.1%, 23.3%, respectively). Similar percentages of officers in each of the four zones selected the remaining response options for this question, with the exception of the percentage of officers who indicated that this question was not applicable because they were a supervisor. Specifically, a greater percentage of officers from Zone 2 (37.7%) selected the "not applicable" option compared to officers Zones 1, 3, and 4 (19.9%, 26.1%, and 23.5%). Examining responses by race revealed significant differences between White and Black officers in Zone 1 who reported that they would "talk to the officer" and "report the incident only if it occurs again" ($p<.001$) with Blacks more likely to report that they would "talk to the officer" and Whites more likely to report that they would "report the incident only if it occurs again"; "report the officer's behavior to a supervisor" and "report the incident only if it occurs again" ($p<.000$) with Whites more likely to "report the behavior to a supervisor"; and "ignore the incident" and "report the incident only if it

occurs again" with Blacks more likely to report that they would "ignore the incident" ($p<.001$). Significant differences were also found between White and Other officers in Zone 4 who reported they would "report the officer's behavior to a supervisor" and "ignore the incident" ($p<.04$) with Others more likely to report that they would "report the officer's behavior to a supervisor" and Whites more likely to report that they would "ignore the incident". Examining responses by rank revealed significant differences between management and officers in all four zones who reported they would "talk to the officer" and "report the incident only if it occurs again" ($p<.000$); "report the officer's behavior to a supervisor" and "ignore the incident" with *p*-values ranging from .000 to .027; and between all response options (i.e., "talk to the officer", "report the officer's behavior to a supervisor", "ignore the incident", and "report the incident only if it occurs again") with *p*-values ranging from .000 to .056.

When supervisory officers were asked the preceding question (question 33), slight differences in the percentage of officers who chose the different response options were found. Specifically, 10.7% of officers in Zone 1, 13.1% of officers in Zone 2, 19.8% of officers in Zone 3, and 13% of officers in Zone 4 indicated that they would "counsel the officer", 5.1% of officers in Zone 1, 11.5% of officers in Zone 2, 3.7% of officers in Zone 3, and 6.3% of officers in Zone 4 indicated that they would "recommend the officer attend bias-based policing training", and 11.5% of officers in Zone 1, 19.7% of officers in Zone 2, 8.3% of officers in Zone 3, and 11.1% of officers in Zone 4 reported that they would "initiate a formal investigation". It should be noted that for the most part, the majority of officers responding to this question selected the "not applicable" option because they were not supervisors (i.e., Zone 1 - 62.3%, Zone 2 - 49.2%, Zone 3 - 56.9%, and Zone 4 - 59.6%). Analysis of this data by race uncovered statistically significant differences between White and Other officers in Zone 3 in their responses of "counsel the officer" and "ignore the incident" ($p<.001$); "recommend the officer attend bias-based policing training" and "ignore the incident" ($p<.001$); and "initiate a formal investigation" and "ignore the incident" ($p<.000$). Differences were also found between White and Black officers in Zone 4 who reported they would "counsel the officer" and "recommend the officer attend bias-based policing training" ($p<.02$); and "recommend the officer attend bias-based policing training"

and "initiate a formal investigation" ($p$<.019). Analysis of the management ranks found significant differences in Zone 1 between Senior- and Mid-Level Management for response options "initiate a formal investigation" and "ignore the incident" ($p$<.041).

Officers in each of the four zones responded similarly when asked if they believed that minority officers are fairer in their dealings with minorities (question 34), with an average of 11% of officers responding affirmatively. More than 58% of officers in Zones 1, 3, and 4 responded negatively to this question compared to only 39.3% of officers in Zone 2. Examination of this data by race revealed significant differences between White and Black officers in Zones 1, 3, and 4 ($p$<.000) with Blacks more likely to respond affirmatively to this question. Differences were also found between Black and Other officers in Zone 1 ($p$<.007) with Blacks more likely to respond affirmatively; and White and Other officers in Zone 4 ($p$<.021) with Others more likely to respond affirmatively. Statistically significant differences between Mid-Level Management and Officers were found in Zone 3 ($p$<.016) with Officers more likely to respond affirmatively.

More than 84% of officers in each of the four zones indicated that they had never had a claim of bias-based policing filed against them (question 36). Similar percentages of officers in each of the four zones indicated that such a claim was founded (.6 to 1.6%) and unfounded (5.4 to 8.5%). Analysis of this data by race did not find any significant differences between White, Black, and Other officers whose claims were founded or unfounded. No significant differences were found when these analyses were run by rank.

### *Bias-Based Police Data Collection and Distribution*

The majority of officers in Zone 2 (54.1%) reported that they believed that the police should collect data pertaining to bias-based policing (question 40). Fifty-four percent in Zone 2 is considerably greater than the percentage of officers in Zone 1 (28.9%), Zone 3 (26.7%), and Zone 4 (29.6%) who felt similarly. Zones 1, 3, and 4 were also very similar in the percentage of officers who reported that they believed that the police should not collect such data (54.9%, 53.4%, and 56.3%, respectively). In contrast, only 26.2% of officers in Zone 2 felt similarly. It is worthwhile to note that a considerable percentage of officers indicated that they did

not know if such data should be collected (i.e., Zone 1 - 14.5%, Zone 2 - 16.4%, Zone 3 - 17.2%, and Zone 4 - 12.4%). Analysis of this data by race uncovered significant differences between Whites and Blacks in Zones 1, 3, and 4 with *p*-values ranging from .000 to .025, with Blacks more likely to report that they believed that the police should collect data pertaining to bias-based policing. Statistical differences were also found between Whites and Others in Zone 1 ($p<.046$), with Others more likely to respond affirmatively to this question. Moreover, significant differences were found between Blacks and Others in Zone 4 ($p<.000$) with Blacks more likely to respond affirmatively. Statistically significant differences were found between Mid-Level Management and Officers in Zone 1 ($p<.034$), with Mid-Level Management more likely to report that the police should collect data pertaining to bias-based policing.

Twenty-seven percent of officers in Zone 3 reported that they did not believe that the police department openly shares information with the public (question 41). This percentage is considerably greater than the other three zones where 15% to 19% of the officers felt similarly. Despite this disparity among the zones, the majority of officers in each of the zones responded favorably to this question (i.e., Zone 1 - 64.8%, Zone 2 - 55.7%, Zone 3 - 54.6%, and Zone 4 - 68.7%). The remainder of survey respondents selected the "unknown" response option (i.e., Zone 1 - 13.9%, Zone 2 - 26.2%, Zone 3 - 17%, and Zone 4 - 13.5%). Statistically significant differences were found between White and Black officers in Zones 1, 3, and 4 with *p*-values ranging from .001 to .016, with Whites more likely than Blacks to respond affirmatively. Differences were also found between White and Other officers in Zones 1, 3, and 4 with *p*-values ranging from .001 to .033, with Whites more likely than Others to respond affirmatively. Differences were found between Black and Other officers in Zone 4 ($p<.023$) with Blacks more likely than Others to respond affirmatively. Analysis of this data by rank revealed significant differences between Mid-Level Management and Officers in Zones 1 and 4 with *p*-values ranging from .000 to .045 and between Senior-Level Management and Officers in Zone 2 ($p<.04$) with Mid- and Senior-Level Management more likely than Officers to respond affirmatively.

Although the majority of officers in each of the four zones indicated that they did not believe that the media honestly portrays bias-based

policing incidents (question 42), there was a considerable difference in the percentage of officers in Zones 1 and 2 (80.6% and 68.9%), while the percentage of officers in Zones 3 and 4 was very similar (76.1% and 74.3%). Zone 2 had the least percentage (3.3%) of officers who reported that they believed that the media did honestly portray bias-based policing incidents in comparison with Zones 1, 3, and 4 (5.5%, 7.5%, and 10.2%). Furthermore, a greater percentage of officers in Zone 2 (26.2%) selected the "unknown" response option in comparison to officers in Zones 1, 3, and 4 (12.6%, 14.4%, and 14.6%). Differences were found between White and Black officers in Zones 2 ($p<.033$) and 4 ($p<.000$), with Blacks more likely than Whites to respond affirmatively. No significant differences were found when these analyses were run by rank.

More than 70% of officers in each of the four zones indicated that they believed that the police department should hold the media and other members of the community responsible for the dissemination of misinformation (question 43). Small percentages of officers in each of the zones answered "no" to this question (i.e., Zone 1 - 5.5%, Zone 2 - 8.2%, Zone 3 - 8.9%, Zone 4 - 5.7%). Twenty percent of officers in Zone 2 selected the "unknown" option in response to this question, in comparison with officers in the other three zones (i.e., Zone 1 - 10.4%, Zone 3 - 11.8%, Zone 4 - 8.3%).

### *Police Officers Working Cooperatively with the Community*

A slightly larger percentage of officers in Zone 3 (33%) reported that they did not believe it was possible for members of their communities to honestly and openly discuss racial issues (question 44), compared to officers in Zones 1, 2, and 4 (23.6%, 24.6%, 28%, respectively). Officers in Zone 2 appeared to be more apprehensive regarding whether or not their community could discuss racial issues, with 29.5% selecting the "unknown" response option, in comparison with Zones 1 (15%), 3 (17.2%), and 4 (11.3%) responding similarly. Examination of this data by race found no significant differences. Examination of this data by rank revealed significant differences between Mid-Level Management and Officers in Zone 1 ($p<.006$) with Mid-Level Management more likely than Officers to respond affirmatively.

More than 73% of officers in Zones 1, 2, and 4 reported they believed that their department, in cooperation with citizens of their

community, would be able to develop workable solutions to address bias-based policing issues (question 45), compared to only 56.9% of officers in Zone 3. A sizeable percentage of survey respondents selected the "unknown" option in response to this question (i.e., Zone 1 - 15.6%, Zone 2 - 21.3%, Zone 3 - 22.7%, and Zone 4 - 16.3%). Chi-square analyses of this data by race revealed significant differences between White and Black officers in Zone 2 ($p<.033$) with Whites more likely than Blacks to respond affirmatively; between White and Other officers in Zone 3 ($p<.051$) with Whites more likely than Others to respond affirmatively; and between Black and Other officers in Zone 4 ($p<.006$) with Blacks more likely than Others to respond affirmatively. Analysis of this data by rank revealed significant differences between Senior-Level Management and Officers in Zone 1 ($p<.028$) with Senior-Level Management more likely than Officers to respond affirmatively; and Mid-Level Management and Officers in Zone 4 ($p<.024$) with Mid-Level Management more likely than Officers to respond affirmatively.

## SUMMARY

In summary, the data analyses conducted on the four population zones appears to suggest that Zone 2 consisted of more officers who had been in their current departments less than four years, and did not appear as knowledgeable regarding bias-based policing training issues compared to their police officer counterparts in Zones 1, 3, and 4. Despite their apparent limited knowledge of bias-based policing issues within their departments, officers in Zone 2 appeared to be more receptive to believing that police could work cooperatively with community citizens to develop workable solutions to address bias-based policing issues. Conversely, officers in Zone 3 appeared to be the most resistant to such an approach. Officers in Zone 3 also appeared more reluctant to discuss racial issues with community members, compared to officers in the other zones. This could be the result of the large percentage of officers in Zone 3, compared to the other three zones, who reported they had not receiving bias-based training in the academy. Further, the lower percentage of officers in this zone reported that bias-based training is available in their departments.

Analysis of the police survey data by demographic zone revealed areas of concern including significant differences between races and ranks on issues such the availability of bias-

based policing training in Virginia police departments, the extent to which bias-based policing is an issue for their department, witnessing to bias-based policing activities, enforcement of bias-based policing policies, the presence of early warning systems in their departments, and the treatment of minority citizens by minority officers.

Other areas of concern include the 11.5% to 23.7% of officers in the four zones who believed that bias-based policing is practiced by officers in their departments, the 14% to 17% of officers in each of the zones who reported witnessing to bias-based policing by officers in their departments, the 25% of responding officers who believed that bias-based policing is practiced by officers in other Virginia departments, and the 10% or more of officers in each of the zones who believed that bias-based policing is officially supported by their departments.

## OFFICER/CITIZEN QUESTIONNAIRE COMPARISON

Although the police officer and citizen questionnaires targeted completely different audiences, there were several questions that addressed the same issues. Of those questions that were similar across the two surveys, several questions are of particular interest and will be discussed below.

Significance tests between the two populations were not run due to the fact that the questions on the Officer Questionnaire and the Virginia Police Public Contact Survey were not worded exactly the same. Subjecting similar but not exact questions from two questionnaires with differing populations to statistical analysis is problematic and could well lead to spurious conclusions. Therefore, the following section should be viewed as a cursory comparison of respondent responses to similar questions on differing survey instruments. Such a comparison is helpful to the reader in that rough comparisons between officer and citizen perceptions are possible.

### *PREVALENCE OF BIAS-BASED POLICING IN VIRGINIA (OFFICER 24, 28, & 31-CITIZEN 28)*

Questions 24 and 28 on the police officer questionnaire and question 28 on the citizen questionnaire addressed the presence of bias-based policing in Virginia police departments. When asked if they believed that any Virginia police department officially supports bias-based

policing (question 24), 12.2% of responding officers answered "yes." To assess the presence of bias-based policing, officers were asked if they believed that bias-based policing is presently practiced by any officer(s) in their department (question 28). Twenty-one percent answered "yes", 45% answered "no", 32% answered "unknown", and 1.4% failed to answer the question. Of those answering the question, 18.6% of White officers and 37.1% of Black officers answered affirmatively. Officers were also asked if they believed that bias-based policing was practiced by individual officers in *other* Virginia police departments (question 31). In response to this question, 25.9% answered "yes", 12.5% answered "no", 59.9% indicated that they did not know, and 1.7% failed to answer the question. By race, officers responded differently with 24.4% of White officers and 37.6% of Black officers responding affirmatively to this question. This would seem to indicate that officers feel that bias-based policing is at least to some degree, supported by the department. Any official support for bias-based policing needs to be addressed. Moreover, officers could see more "unofficial" activity that might be considered bias-based policing in other departments than in their own departments.

In contrast, 42.8% of citizens felt that bias-based policing is presently practiced in Virginia police departments (question 28). When comparing citizen responses to question 28 to officer responses to question 31 (the closest match between the two surveys regarding the practice of bias-based policing), it should be noted that the difference in perceptions across races is smaller for police officers. In response to question 31, 24.4% of White officers and 37.6% of Black officers responded affirmatively to this question, compared to 35.6% of White citizens and 60% of Black citizens indicating bias-based policing is presently practiced in Virginia. Perhaps this indicates that Black and White police officers have more similar perspectives and experiences upon which to base perceptions, whereas Black and White citizens may have divergent experiences and perspectives. At any rate, it appears that work must be done to address the issues in Virginia.

## *MINORITY OFFICERS' TREATMENT OF MINORITIES (OFFICER 34-CITIZEN 35)*

One belief that seemed to be prevalent in group meetings is that minority officers are fairer in their dealings with minorities. In an effort to determine officers' beliefs regarding

the treatment of minority individuals by minority officers, officers were asked if they believed that minority officers are fairer in their dealings with minorities (question 34). In response to this question, 11.3% answered "yes", 59.6% answered "no", 27.7% indicated that they did not know, and 1.4% failed to answer the question. Of those responding, 7.3% of White officers and 37.1% of Black officers believed minority officers are fairer in their dealings with minorities. A total of 20.1% of citizens felt that minority officers are fairer in their dealings with minorities (question 35). Interestingly, only 16.3% of White citizens thought minority officers are fairer in their dealings with minorities compared to 29.3% of Black respondents.

## *BIAS-BASED POLICING IN THEIR DEPARTMENT (OFFICER 30-CITIZEN 29)*

When asked to assess the extent to which bias-based policing is an issue for their department (question 30), 19.2% of officers reported that it is "somewhat of an issue" and 2.1% reported that it is "a serious issue". Therefore, a combined total of 21.3% of respondents indicated that bias-based policing was at least somewhat of an issue for their department. In addition, 76.1% of those officers responding to this question indicated that bias-based policing was not an issue for their department. By race, responses to this item differed considerably. Of those who indicated that bias-based policing was at least "somewhat of an issue" for their department, 15.2% were White and 46.6% were Black. When citizens were asked to what extent they felt bias-based policing was an issue for their department (question 29), 16.5% responded that it was a serious issue, 35.4% felt that it was somewhat of an issue, and 21.5% felt that it was not an issue in their department. Interestingly, 60.6% of Black respondents felt bias-based policing was not an issue in their department compared to only 35.9% of Whites. Therefore, it is clear that police officer and citizen perceptions of bias-based policing practices in their departments are considerably different with citizens being more that twice as likely to indicate that it is at least somewhat of an issue.

## *COLLECTION OF BIAS-BASED POLICING DATA (OFFICER 40-CITIZEN 30)*

As mentioned earlier, the practice of collecting bias-based policing data is not widespread. In order to obtain Virginia police officers'

perceptions of this practice, officers were asked if they believed that police should collect such data (question 40). The majority of survey respondents (53.9%) indicated that they did not believe police should collect bias-based policing data; 29.6% indicated that they believed the police should collect such data, 14.5% indicated that they did not know, and 2% failed to answer the question. However, it is worth noting that nearly twice as many Black officers as did White officers answered "yes" in response to this question (50.6% of Black officers, 26.9% of White officers).

When asked if they thought the police should collect information concerning bias-based policing (question 30), 61.9% of citizens responded "yes." As with the police, White and Black citizens responded somewhat differently although not to the same extent with 58.9% of White citizens agreeing that bias-based policing information should be collected, while 68.8% of Black citizens responded affirmatively. This comparison seems to indicate that the majority of the public feels that bias-based policing information is something that police should collect and monitor, and as one would expect, it is viewed as more appropriate by Blacks than Whites.

## *SHARING OF INFORMATION WITH THE PUBLIC (OFFICER 41-CITIZEN 36)*

When police officers were asked if they believed that the police openly shared information with the public (question 41), 63.3% responded affirmatively, 20.3% responded negatively, 14.9% indicated that they did not know, and 1.4% failed to answer the question. A greater percentage of White officers (66.5%) answered "yes" to this question in comparison to Black officers (47.8%). When asked if the police department openly shares information with the public (question 36), 41.5% of citizens indicated that the police openly shared information. White respondents indicated that the police openly share information with the public at a higher rate than Black respondents (45.3% to 34.7% respectively). This seems to indicate that police officers feel that information is more openly shared than citizens do. It also appears that both Black police officers and citizens are, in general, more skeptical of the information provided to the public by the police. Once again, the importance of recognizing these differences lies in the fact that it serves as fertile ground on which to work to further improve not only on the enhancement of

perceptions, but in improving relations between the police and the community.

## *MEDIA REPORTING OF INCIDENTS (OFFICER 42-CITIZEN 37)*

When questioned about the media's delivery of bias-based policing information (question 42), 77.3% of officers indicated that they did not believe that the media honestly portrays bias-based policing incidents; 7.3% indicated that they did; 14.1% indicated that they did not know; and 1.4% failed to answer the question. White officers were less inclined to believe that the media honestly portrays bias-based policing incidents compared to Black officers. Only 6.5% of White officers answered affirmatively, while 14% of Black officers did. Additionally, citizens were asked if the media honestly reports bias-based policing incidents (question 37). Similarly, only 26.6% of citizens answered affirmatively, 39.2% answering no, 17.8% answering somewhat, and 16.4% answering unknown. Black and White citizens seemed to have similar perceptions (28.6% of Black citizens and 26.6% of White citizens answering "yes"). This seems to indicate that the public and the police have little confidence in the honesty with which the media reports such information.

## *OPEN DISCUSSION OF RACIAL ISSUES (OFFICER 44-CITIZEN 26)*

Police officers were asked if they believed it was possible for members of their community to honestly and openly discuss racial issues (question 44). Although the majority of respondents responded favorably (56.4%), 27.1% reported that they did not believe it was possible, 15% indicated that they did not know, and 1.5% failed to answer the question. This finding points to 42% of officers suggesting that racial issues were not readily discussed in their communities. By race, the percentage of officers who believe it is possible for members of the community to honestly and openly discuss racial issues was roughly the same with 56.4% of White officers and 56.2% of Black officers answering affirmatively. Citizens also responded favorably, but at a higher rate with 63.8% responding "yes." White and Black citizens were somewhat similar in their responses to this question with 63.9% of Whites and 66.7% of Blacks responding affirmatively. It is encouraging knowing that the majority of police and citizens believe that there can be open and

honest dialogue between the police and citizens. However, there is still a large number of police and citizens that do not believe such discourse is possible. While this is a good start, it is obvious that much work is needed to enhance communications and resolve issues.

## *SOLVING BIAS-BASED POLICING PROBLEMS (OFFICER 45-CITIZEN 31)*

When officers were asked if they believed that their police department, in cooperation with the citizens of the community, would be able to develop workable solutions to address a problem with bias-based policing (question 45), 70.7% of respondents responded favorably. Similar to the preceding question, 17.6% of officers responded that they did not know and 9.6% indicated that they believed it would not be possible, resulting in 27.2% of the officers reporting that did not readily believe that such cooperation regarding the issue of bias-based policing was possible. By race, White and Black officers were equally optimistic with 71.5% of White officers and 71.3% of Black officers answering affirmatively. Citizens were even more optimistic concerning the possibility of cooperatively resolving such problems as 85.8% responded "yes" to question 31. Again, White and Black citizens seem to be equally optimistic concerning this possibility with 85.2% of White citizens and 86.9% of Black citizens believing workable solutions can be developed by working cooperatively with the police. Therefore, it seems that both police and citizens feel that this is a good approach to solving bias-based policing problems.

# CHAPTER V: CONCLUSIONS AND RECOMMENDATIONS

## CONCLUSIONS

Bias-based policing, defined as "*...practices by individual officers, supervisors, managerial practices, and departmental programs, both intentional and non-intentional that incorporate prejudicial judgments based on sex, race, ethnicity, gender, sexual orientation, economic status, religious beliefs, or age that are inappropriately applied*," has the potential, to damage American policing and erode our civil rights (e.g., Harris, 2002). Furthermore, bias-based policing has the ability to hinder relationships between enforcement officers and minority citizens. Finally, bias-based policing is illegal.

Recognizing the importance of such an issue, The Commonwealth of Virginia took a proactive approach and wanted to address the issues of bias-based policing due to concern expressed by citizens, public officials, and law enforcement leaders regarding the public's perception that some law enforcement officers mistreated ethnic and racial minorities (Cooke, 2004). Therefore, the Virginia DCJS submitted a request for proposals to analyze the current situation and gain a better understanding of citizen's perceptions of bias-based policing in the Commonwealth.

Auburn University Montgomery (AUM) Center for Government (CGOV) conducted a study on bias-based policing in the Commonwealth of Virginia. The study purports to develop a better understanding of police bias, as it exists in the Virginia police community and provide recommendations that would best address the overall problem of bias-based policing. The study was designed to meet four major goals: (1) review current literature; (2) facilitate focus group meetings; (3) recommend training for law enforcement; and (4) recommend policy development.

To meet the objectives of the study, an extensive review of the literature was conducted prior to CGOV researchers meeting with DCJS staff to coordinate the focus group meetings. CGOV researchers identified seven communities in the Commonwealth in which to conduct focus groups based on their geographic location in the Commonwealth, population base, police department size, and

the existence of large minority populations. Focus group meetings were conducted at each of the seven locations to obtain a better understanding of citizen and police perceptions toward issues concerning bias-based policing and provide recommendations for the citizen and police surveys.

Following the citizen and police focus groups, police and citizen questionnaires were developed and administered. The surveys were designed to uncover citizens' satisfaction with their interactions with the police and police officers' perceptions of bias-based policing and their ability to work cooperatively with citizens to address bias-based policing issues, should they encounter them.

## *CITIZEN QUESTIONNAIRE*

The purpose of the citizen questionnaire was two-fold. First, the survey was designed to examine how police departments in the Commonwealth handle issues with the public, as reported by the citizens they serve and protect. Second, the survey was developed to reveal Commonwealth citizens' perceptions of police department practices.

Overall, the majority of citizens who participated in the survey reported satisfaction with their police departments' ability to utilize resources, respond in a reasonable amount of time when summoned, and make the community a safer place in which to live. Moreover, citizens reported, overall, that they trusted their enforcement officials and were appreciative of the courteous manner in which they were treated when they interacted with the police. One strategy used to improve police and community relations is the citizens police academy. Interestingly, citizens police academies are perceived by citizens as effective at promoting positive relations with the community, but most citizens do not know if their department offers an academy. Furthermore, over 70% felt that the police were responsive to the issues and needs of their communities. Statistical analyses found significant differences between how responsive Black and White citizens felt the police were to their communities' needs.

Statistical analyses found significant differences between White and Black citizens' perceptions of police treatment. Although both Whites and Blacks believed that the police treat White citizens with respect, Black citizens believed that Black citizens were not treated in a

respectful manner. However, White survey respondents were four times more likely to report being the target of rudeness from the Virginia police.

Reports of citizens being stopped by police officers to be asked why they were in a certain location were fairly few. Even fewer citizens reported incidents where physical force was threatened or used against them by a police officer.

Investigating citizens' perceptions of the media's account of police incidents revealed that the majority of citizens represented in the survey did not believe that the media honestly reports police incidents. This perceived failure of the media to accurately report events could, in fact, contribute to the general difference of opinion between White and Black respondents and reports from Black citizens that they feel police tactics are geared toward racial bias.

## *OFFICER QUESTIONNAIRE*

The Officer Questionnaire survey instrument asked enforcement officials of different races and ranks, in more than 30 police departments, to answer 45 questions concerning issues such as their knowledge of bias-based policing, the bias-based policing training they received, their perceived existence of bias-based policing in police departments within the Commonwealth, and their beliefs regarding the media's account of bias-based policing incidents.

Three sets of analyses were conducted on the data obtained with this survey. These analyses included: (1) overall analyses which examined all survey participants' responses; (2) analyses broken down by the location in which the department resides, be it in an urban or rural area of the Commonwealth of Virginia; and (3) analyses categorized by the demographic zone in which the survey respondents' departments were located. Comparisons across race and rank were also made when appropriate.

Analysis of the overall police officer survey data suggests that the majority of officers received bias-based policing training in the academy and most of the surveyed police departments offer such training. Furthermore, these analyses revealed that the majority of police officers reported that their department has a written bias-based policing policy and it is distributed in some manner (i.e., through training or by the distribution of the policy with officer signature as proof of training). Enforcement of

bias-based policing polices was reported by 68% of survey respondents suggesting that efforts are necessary to ensure that all departments in the Commonwealth strongly enforce bias-based policing policies.

Areas of concern include the 21% of officers reporting that they believe officers in their department currently practice bias-based policing and the 15% of officers reporting that they witnessed such behaviors. Moreover, a considerable percentage of officers reported that they believed bias-based policing was "somewhat" or "a serious" issue for their department, and that bias-based policing is practiced by officers in other Virginia police departments. This data suggests that officers, Mid-Level Management, and Senior-Level Management in Virginia believe that bias-based policing is occurring regardless of the current training efforts being made.

Chi-square analyses revealed police officers of different races and ranks reporting statistically significant differences in their perceptions regarding issues of bias-based policing, including the need for more training and the extent to which bias-based policing is a problem for their departments. Not only were the minority race participants more likely to believe that bias-based policing is an issue, but they also are more likely to believe that bias-based policing is both officially and unofficially supported by their departments and that minority officers handle issues with the minority population more fairly.

Significant differences were also found among Officers, Mid-Level, and Senior-Level Management in their responses to questions regarding bias-based policing practices, the existence of a written policy, and if supervisors were required to go through training to assist them in identifying officers who might be engaging in these bias-based policing practices. It seems as though officers are not as well-informed as the managers and simply do not know as much about the issue of bias-based policing practices within their departments.

Analysis of the survey responses from officers in rural departments compared to officers in urban departments highlighted some noteworthy differences regarding tenure in the department and the level of education received with urban officers having more of each compared to rural officers. Rural officers were more likely to report having received less bias-based training and that their departments had a written bias-based policing policy. Rural

department officers were also more likely to report a desire to have additional bias-based policing training and policies developed within their departments, compared to their urban counterparts.

A significantly larger percentage of urban officers, compared to rural officers, reported that they believed that bias-based policing was an issue for their departments. Despite this difference, both urban and rural officers appear to hold similar beliefs regarding the presence of bias-based policing in other Virginia police departments.

Chi-square analyses revealed significant differences between management and officers in response to several of the survey questions. These differences were more profound between management and officers. Significant differences were also found among White, Black, and Other officers in regard to issues such as the existence of training, whether or not more training should be required, the practice of bias-based policing in Virginia, and cooperation between the police and the community. Moreover, as with the differences among the police ranks, the disparity in perceptions among the races is just as great. While some of this disparity could be attributed to experience and culture, these findings indicate that more direct training and research on the bias-based policing issue is needed.

Analysis of the police survey data by demographic zone revealed areas of concern including significant differences between races and ranks on issues such the availability of bias-based policing training in Virginia police departments, the extent to which bias-based policing is an issue for their department, the presence of early warning systems in their departments, and the treatment of minority citizens by minority officers.

Other areas of concern include the 11.5 to 23.7% of officers which includes mid- and senior-level managers, in the four zones who believed that bias-based policing is being practiced by officers in their departments, the 13.9 to 17% of officers in each of the zones who reported being witness to bias-based policing by officers in their departments, the 21.3 to 28.5% of responding officers who believed that bias-based policing is being practiced by officers in other Virginia departments, the 37.8% of officers who reported that bias-based policies are "somewhat" or "never" enforced, the 13.1 to

24.1% of officers who reported that bias-based policing was "somewhat of an issue", the 10.7 to 18% of officers who reported that bias-based policing is unofficially supported by their departments, and the 10.2 to 16.4% of officers, in each of the zones who believed that bias-based policing is officially supported by departments in Virginia.

A comparison of citizen and police officer responses to items of similar content or subject matter revealed that police officers and citizens have considerably different perceptions regarding bias-based policing. A considerably higher percentage of citizens felt that bias-based policing is being practiced in Virginia. When focusing on their department specifically, over 50% of citizens indicated bias-based policing was an issue for their department compared to only about 21% of officers. Citizens were much more supportive of the collection of bias-based policing data than officers, but police officers indicated that information is shared openly with the public at a higher rate than citizens. While the public was a little more trusting of the way the media reports bias-based policing incidents, neither citizens, nor police officers seemed to have a lot of confidence in the media's honest reporting of such incidents.

It was encouraging to find that citizens and police officers were in agreement concerning the possibility of openly discussing racial issues. Even more encouraging was the fact that a large percentage of both citizens and officers felt that it is possible for citizens and police officers to work cooperatively to solve bias-based policing problems.

## *OFFICER - CITIZEN COMPARISON*

In comparing police responses to those of the citizens, the study finds significant differences. One area where we found consensus was in the area of solving bias-based policing problems. The majority on both sides is optimistic about solving bias-based policing issues. However, the citizens showed more optimism than the police (approximately 70.7% of the police and 85.8% of the citizens felt there was something that could be done about bias-based policing). It is also significant to note the optimism that something could be done was shared equally among White and Black citizens and White and Black police.

# RECOMMENDATIONS

It is possible to propose a number of recommendations for the Commonwealth of Virginia from the review of the citizen and officer surveys, focus groups, review of best practices, and the literature review. It must be understood that while there are essential recommendations used to effectively address bias-based policing issues, some of the recommendations might not fit within the overall plan of a community or the Commonwealth, as a whole. Further, this list should not be considered all-inclusive.

Essentially, it becomes the responsibility of individual communities, government, citizens, and state officials to develop a plan of action and include specific recommendations from the list below into the plan that will further its overall goal. This, by definition, suggests that different communities might choose different recommendations, and/or implement options that are not discussed below but still correspond to the needs of the community in order to deal effectively with bias-based policing. Although communities face similar problems, they have dissimilarities concerning personal relationships, advantages, history, and capabilities that might perpetuate the need for differing plans to be developed throughout Virginia. The important issue is to ensure that the combination of recommendations to be incorporated best corresponds to the needs of the community in meeting its overriding goal.

The following recommendations are not a cookbook approach to successfully deal with bias-based policing. Further, they are not listed in any particular order or hierarchical sequence. Moreover, it is likely that everyone will not agree with each recommendation, nor should anyone feel obligated to implement each recommendation. Various communities have already attempted to implement some of the recommendations below, some successful, some with little success, and some recommendations simply will not work, for whatever reason, within a community. This fact, by itself, is not enough to presuppose that another recommendation will fail to work well in that community or that because a recommendation did not work well in one community that the same recommendation will fail to work well in another community. Community needs and the administrative acumen of the leadership will greatly impact upon the success of any program adopted to meet the challenges described within the report.

Finally, many of the recommendations below are not limited to the resolution of only bias-based policing issues. In fact, many of the recommendations, both alone and in combination, will assist police departments and their respective communities with a myriad of issues that impact their communities on a daily basis. Hence, as department heads, staff, line personnel, government officials, and citizens review these recommendations, they should attempt to determine ways in which their overall goal of providing better police service can be further enhanced by the implementation of such ideas and programs. To simply look at this as a single issue deserving of a single response is far too myopic a view. The overriding question to ask is how these recommendations can be implemented to better enhance the police service in the Commonwealth of Virginia as a whole.

The key to addressing bias-based policing is an overall comprehensive management plan, not the disjointed implementation of management techniques, systems, or poorly thought out management fads or data collection procedures. Essentially, departments should view these recommendations as integral components of a comprehensive management system. Therefore, the following recommendations are presented for the consideration of government officials, public administrators, and their communities.

## *POLICE AND COMMUNITY COOPERATION*

First, police and community involvement, cooperation, and communication on bias-based policing issues are imperative. The structure that such forums take can and should differ between and among communities over time. The overriding goal is that regardless of how these forums are structured, they should serve to meet the needs of the community. Such efforts to enhance community involvement is inherent in community-based policing and is not a new idea for police departments. In fact, many departments in Virginia have already made inroads with their communities. The key is to further improve the viability of these forums in order to enhance results. These forums should include the beat officer as a full participant. This should be considered a part of his/her community policing responsibilities. Simply to have the department head or one of his/her designees attend these forums, while important, is not sufficient. The entire department needs to be involved. The better a department meets this recommendation, the

better all aspects of policing will be for everyone in the community. Further, a department should consider the use of professional facilitators to help initiate the communication or to reinitiate the communication process if success is slow or an impasse is reached.

The use of qualified facilitators cannot be over-emphasized as a means for a department and its community to address such a vital, volatile, and important issue as bias-based policing. A neutral, trained facilitator can help to organize, overcome problems, direct, and develop recommendations and plans of action. A facilitator can help direct participants to address underlying issues and come to workable solutions. Department heads should not think that they have to address these issues alone or without qualified professional assistance. The lack of true communication, commitment, and the ability of communities to address underlying issues will greatly impact the overall success of their efforts. Trained neutral facilitators can be very useful in achieving positive results in a timely fashion. Moreover, it is not a one-time, single-issue effort, but a continuous effort. Our focus group meetings during the study highlighted the need for this type of communication.

## *SNIFFER SOFTWARE*

Second, the researchers understand that legislation has been passed requiring traffic related data collection on the part of police agencies for the purpose of tracking bias-based policing and we recognize its many shortcomings. The researchers are aware that several departments have adhered to consent decrees requiring them to collect such data. The researchers are also aware that professional associations support the collection of such data. Further, the researchers understand that it is politically correct for a department to collect this data and that such an effort can demonstrate the department's recognition of the seriousness of this issue to the public. The research staff is further aware that the collection of traffic statistics provides an incomplete and often inaccurate picture of bias-based policing in a community. Not only does such an effort often result in an inaccurate picture of bias-based policing regarding the sole issue of traffic stops, but also totally ignores other potential bias-based policing issues. Further, various interest groups and the media have taken a liberal interpretation of the data collected which, in fact, is not supported by the data itself.

It is of importance to note that traffic data collection, as a technique to identify and control bias-based policing, was precipitated by litigation and spearheaded by plaintiff's attorneys. Traffic data collection was not the process of a well thought out management analysis by police department administrators and their management consultants. If a department chooses to adopt traffic data collection as one of its methods to control bias-based policing then it must be totally integrated into a comprehensive management plan. Singly, traffic data collection and analysis is a poor indicator of bias-based policing as defined in this study.

Further, police agencies should not initiate traffic data collection efforts, or any data collection for that matter, unless they are willing to be totally committed to the effort and only if it is a part of an overall data collection, department-wide, comprehensive management schema. For this reason, it is important to note the problems faced when attempting to meet the stated requirement. In the State of Texas, for example, the legislature mandated the collection of data on police traffic stops and field interviews, but there is no requirement to report this information to the state. Agencies are only required to maintain the data for a specified period of time and it is up to the governing body, (e.g., city council) as to what they will do with the collected traffic data. Researchers are aware of one Texas police department whereby traffic data is provided by the officers, the report forms are judiciously collected, and the forms are carefully stored in boxes in an office. There is, however, no effort to review the forms, place the data into a computerized data system, or evaluate and use the data in any manner. Data collection, in this fashion, becomes nothing more than a complete waste of time, effort, and tax dollars.

Many times, appropriate research plans are not developed prior to the initiation of traffic data collection efforts. Often, experts in the field are not involved in the planning, traffic data collection, or analysis stages. Efforts to include the community in the process from the planning stages through analysis and publication of the results generally do not occur. Proxy variables, (i.e., comparison data) that approximate but do not exactly mirror the makeup of the community, are used in such studies. Given the serious ramifications of such efforts, it is a grave mistake for a police department to use proxy variables to compare their traffic stop related data. It is crucial that

researchers determine as accurately as possible precise comparison variables to be used in the analysis process. It is inappropriate to use incomplete census data as a comparison variable if actual measures on arrests, traffic stops, and other factors are going to be compared to specific communities. Estimations can lead to spurious results, which can lead to equally spurious and even counterproductive decisions. Further, there can be serious negative consequences resulting from decisions based upon spurious traffic data collection techniques and results.

In addition, we have little information on the data collection process followed by officers; however, what little evidence that has been collected suggests that such traffic data collection efforts can be and are manipulated by some unethical officers. There are simply too many unknowns in the process of traffic data collection to rely on such a process alone. The assumption being made by many is that traffic data collection by itself is the answer. It simply is not. Anyone implementing traffic data collection as the sole means to control bias-based policing is doing little to address the problem and quite likely, especially if appropriate research methods are ignored, will formulate spurious research conclusions and equally bad decisions resulting from the use of poor research methods.

If data collection becomes an integral part of an overall comprehensive management plan to enhance police efficiency, fairness, and responsiveness to the community, then it can become more useful. However, the traffic data collection process must meet stringent scientific standards regardless. Further, if a department is incurring the expense and effort to integrate a proper traffic data collection effort, it only makes sense that they take the additional steps to review their overall data collection efforts and to use this as an opportunity to upgrade police data collection and analysis throughout their department. This would involve the inclusion, upgrading, and/or modification of modern technology to best meet their overall data collection needs. If departments fail to view the data collection process *in toto,* they will be revisiting the issue of data collection and management techniques in yet another form when the next problem occurs. What is being suggested is a proactive comprehensive management approach, which would include broad data collection and improved management systems, instead of a reactive effort.

In lieu of, or in addition to, traditional data collection methods that require officers to record the traffic related data, (e.g., officers completing a form describing why they stopped a vehicle, or person, or why they asked to search a vehicle) agencies should consider the development of less overt, unobtrusive data collection methods. For example, when it became clear that it was possible to track officer's behavior and identify those who had a propensity for violence, police agencies engaged industry to develop early warning systems. These systems were computer applications, sniffer software that extracted data from the normal police department databases and analyzed officer behavior patterns to determine when an officer was acting out aggressive behavior. These systems also were capable of identifying officer behavior patterns that signified an officer might be having some difficulties and the department's need to intervene (e.g., the officer who never had a citizen complaint filed against him in five years suddenly has three in as many months). The early warning system helps to identify these potential problems and flags the potential problem to the officer's supervisor. The authors believe that similar computer sniffer software could be developed to help identify bias-based policing practices in this same way. Such a sniffer software package could be designed to assess a variety of policing activities in which the officer engages where bias-based policing practices could exist. As an example, if an officer's arrest profile suddenly changed to include a large number of minority citizens, the sniffer software would recognize such a change in behavior and alert the appropriate supervisor. The supervisor would then determine if such a change was rational due to an assignment change, e.g., the officer was transferred to a police district composed largely of minorities. If the supervisor deemed it necessary he/she could investigate the situation further, as prescribed by department policy, and resolve the issue one way or another. Sniffer computer software is also capable of making associations that might not be readily apparent to the average person. This is an area of management that shows great promise not only for addressing the issue of bias-based policing, but in combination with already developed early warning systems, it provides a more complete, accurate, fair, and comprehensive management package for police administrators.

## *MANAGEMENT*

Third, an essential key to thwarting improper police behavior is good management. In fact, without good management, no effort, policy, or threat will be successful. Good management means clear bias-based policing policies, procedures, oversight, management and officer bias-based policing training, supervision, and commitment. This would include such management aids as early warning systems, sniffer software, in-car videotaping, evaluation of various productivity measures, and the encouragement of a culture in the department that supports fairness.

Leadership in the department must be clear in their support of bias-based policing policies and procedures for addressing possible and founded bias-based policing. Any failure on the part of management, such as the exclusion of a policy, lack of appropriate training, and/or appropriate procedures for enforcement of their policy will have a deleterious impact on the department and the community. There can be no misunderstanding among department personnel that bias-based policing is neither "officially" nor "unofficially" supported in the department. Further, it must be crystal clear among department personnel that there is an expectation that bias-based policing policies will be enforced.

When you look at your department and government you should be reminded of the words of Donald Orlando (D. Orlando, personal communication, June 29, 2004), "Everything you see, everything you hear, is condoned or encouraged by the leadership - without exception." Essentially, a community gets the police department that its leadership creates and fosters.

## *MANAGEMENT AND OFFICER TRAINING*

Fourth, better and more accessible training for officers and managers is recommended. A review of curriculum to determine how bias-based policing is addressed in the academy and in regard to in-service training is important. As discussed earlier in the report, providing cultural diversity and racial profiling courses does not necessarily mean that officers will understand the broader issues involved in bias-based policing. Further, a review of the process of instructor selection and certification would prove beneficial. In addition, gaining a better understanding of the use of last minute "off the road" instructors could provide

information on how to better ensure that qualified and current trainers are always available for instructing. Efforts to better train across the curriculum would also be beneficial.

Traffic stop protocols and consistent officer instructed verbal communication skills with citizens under enforcement and investigative conditions should be taught in training and enforced by supervisors to assist officers in avoiding unnecessary rudeness. During each of the focus group meetings, the complaint of officer rudeness was reiterated numerous times. In discussing this with the officers, we learned that the academy has taught officers not to speak with people they stop for traffic violations until they obtain a driver's license and vehicle registration. This often results in citizens' perceptions that the officers are being rude. Finally, the furtherance of processes and systems to ensure consistency in training is imperative.

## *INFORMATION EXCHANGE*

Fifth, efforts should continue to be made to identify and disseminate information, and provide seminars on best practices found throughout the country regarding data collection techniques, police-citizen cooperation, verbal skills for officers, and police tactics that are efficient, but do not encourage citizen anger and distrust.

## *PROFILING*

Sixth, police agencies should discontinue the use of soft profiling. Hard profiling can provide the police with usable information to increase their chances for success and a reduction in public perceptions of lawlessness among their police. Unless a profiling process is subjected to strict scientific methods and continually evaluated, it does not have any place in the profession. Soft profiling is simply "dumb policing".

Improper profiling not only has the potential to impede upon the civil rights of innocent citizens, but it also causes consternation toward the police, and provides cause for innocent citizens to question the officer's reasoning for subjecting them to such police practices. Further, inaccurate profiling allows the guilty to subvert detection by avoiding known profiles used by the police. Profiling has its place in policing, but only if properly developed and maintained. Profiles change and the police must use scientific methods to develop and evaluate the profiles they use.

## *CONSENT SEARCHES*

Seventh, if it is determined by the administration that consent searches are to be used by officers, then officers should be required to inform the citizen that he/she has the right to refuse such a request. Data on each of these stops should be collected in an effort to evaluate the usefulness of such stops and to provide direction to officers on what is and is not successful. Further, if consent searches are to be used by officers, clear guidelines should be established by the department regarding when, under what circumstances, and how these searches are to be conducted.

## *PRETEXTUAL STOPS*

Eighth, if officers are allowed to perform pretextual stops, data must be collected to determine such factors as the why, where, race, sex, and outcome of each stop. A pretextual stop is often based on soft profiling criteria in concert with the requisite legal criteria needed to make the stop. The collection, collation, and analysis of such stops will provide scientific direction to what can best be described at present as an unscientific process. Again, if an agency allows such enforcement efforts, clear guidelines must be developed to regulate how officers will conduct stops, and under what conditions such stops are to be made.

## *RANDOM ROADBLOCKS*

Ninth, if police use random roadblocks for drunken driving checks, seatbelt enforcement or other similar checks, they should truly be random. A complaint heard during the police focus group meetings was that police freely set up these types of roadblocks in the less affluent areas of the community and often do not setup such roadblocks in the more affluent areas of town. Police also openly stated that if they tried to setup such roadblocks in the more affluent areas of town, they would immediately meet resistance that would likely have political ramifications. While police will also tell you that these checks yield significant results in minority communities, they would likely produce similar results in the affluent neighborhoods, if allowed.

## *DEPARTMENTAL RESPONSE*

Tenth, each department should use the information provided in this Virginia-wide bias-based policing study to assist them in analyzing their agency. For improvement to occur, each agency must conduct a thorough

analysis of their department and address any problems that they discover. The use of outside expertise might be helpful in this process. The agency should ensure that community involvement is part of this process. Once this analysis has been completed, a plan should be developed to address shortcomings.

## *TEST SITES*

Eleventh, the Commonwealth of Virginia would be well served if test sites were identified to determine best practices for police agencies of various sizes throughout the Commonwealth. For example, Virginia should study various plans to implement sniffer software technology to collect data that would be cost effective for departments of differing size. It would be not only difficult, but unwise, to have each community independently address this problem. Leadership and assistance from the Commonwealth would be less expensive, aid in the sharing of information, and ensure that best practices were identified and shared throughout Virginia.

## *POLICE AGENCY COOPERATION*

Twelfth, the mutual cooperation of DCJS and the Commonwealth chiefs and sheriffs associations is important in addressing various issues regarding bias-based policing. Through their professional associations, departments can move ahead quickly, share information, provide needed training, and assist their membership in addressing the various issues discussed in this report.

## *GOVERNMENT COOPERATION*

Thirteenth, it is equally important that the Governor's office and the legislature work cooperatively with DCJS, and the police and sheriffs associations to ensure that their combined efforts are in accord with appropriate best practices. For the legislature or the Governor's office to move ahead without consultation with the police and sheriffs associations would be inappropriate. It is only through a cooperative effort that comprehensive and workable solutions can be achieved over time.

## *FUNDING RESPONSIBILITY*

Fourteenth, the Governor's office and legislators should appropriate funds to support the research and implementation of programs and management processes needed to help resolve the bias-based policing issues in the Commonwealth. In addition, the Governor and state legislators, in cooperation with DCJS, the Virginia chiefs association, and sheriffs association, and their congressional colleagues in Washington, D.C. should work to secure federal funding to ensure that Virginia police agencies can move forward with these recommendations for the benefit of Virginia residents.

In conclusion, it is important to recognize that the Office of the Governor and the legislature has done much to bring Virginia to the forefront on the issue of bias-based policing. They, along with their police agencies, are to be congratulated for the work that they have done thus far. Through their continued cooperation in researching and implementing various recommendations contained herein, Virginia has the potential to serve as a model for the entire country.

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